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THE COVER Dr. Muriel H. Wright, longtime Oklahoma historian and author, who served as associate editor and later editor of *The Chronicles of Oklahoma* from 1943 to 1973. A renowned authority on Oklahoma and Indian history, Dr. Wright has published several books and numerous articles portraying the heritage of the state and its inhabitants. Among her many honors and awards are: a member of the Choctaw Advisory Council, a participant on the History Advisory Panel of the Governor's Council for Cultural Development, President of the National Hall of Fame for Famous American Indians, a member of the Oklahoma Geological Survey, recipient of the University of Oklahoma Distinguished Service Citation, Woman of the Year of the Oklahoma City Business and Professional Women Association, a member of the Oklahoma Hall of Fame, recipient of the Matrix Award of Theta Sigma Phi, a member of the National League of American Pen Women and Outstanding Indian Woman of the Twentieth Century.

MURIEL H. WRIGHT, HISTORIAN OF OKLAHOMA

*By LeRoy H. Fischer**

Leadership, courage, dedication, ability, efficiency, enthusiasm, perserverence, service, insight, creativity—all are words that aptly describe Miss Muriel Hazel Wright. Filled with enough viable research and writing ideas in her work in Oklahoma history to last two or three lifetimes, she is spurred on by her desire to continue her notable contributions to Oklahoma's heritage and culture.

This remarkable woman was born in Lehigh, Choctaw Nation, Indian Territory, on March 31, 1889, the first child of Dr. Eliphalet Nott Wright and Ida Belle Richards Wright. Miss Wright is of one-fourth Choctaw Indian descent through her father, and is number 11,153 on the final roll of the Choctaw Nation of 1902. Through her mother she is of American Colonial descent, tracing her ancestry to Francis Sprague who came from England to America on the *Anne* in 1623. It is through her mother that she is also of Scottish descent, and a forebearer of this line, John Trumbull, settled in St. Louis, Missouri, in 1840. Miss Wright's Choctaw origin is from her paternal grandfather, the Reverend Allen Wright, a graduate of Union College, Schenectady, New York, and Union Theological Seminary, New York City, and Principal Chief of the Choctaw Nation from 1866 to 1870. It was in Washington, D.C., in 1866, when serving on the Choctaw-Chickasaw Reconstruction Treaty delegation, that he suggested the name Oklahoma for Indian Territory. His wife, Miss Wright's paternal grandmother, was Harriet Newell Mitchell Wright, a Presbyterian missionary teacher to the Choctaws, who came from Dayton, Ohio, to the Choctaw Nation in 1855, and was of American Colonial descent through William Brewster and Edward Doty who came to America on the *Mayflower* in 1620.[1]

Miss Wright's father, a physician and surgeon, also attended Union College and later graduated with the Doctor of Medicine degree from

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* The author is Oppenheim Regents Professor of History at Oklahoma State University, Stillwater, Oklahoma.

[1] Muriel H. Wright, Autobiographical Notes, Oklahoma Historical Society, Oklahoma City, Oklahoma; Gaston Litton, *History of Oklahoma at the Golden Anniversary of Statehood* (4 vols., New York: Lewis Historical Publishing Company, 1957), Vol. III, pp. 45–46; Ethel McMillan, "Women Teachers in Oklahoma, 1820–1860," *The Chronicles of Oklahoma*, Vol. XXVII, No. 1 (Spring, 1949), p. 25; Muriel H. Wright, "A Brief Review of the Life of Doctor Eliphalet Nott Wright, 1858–1932," *ibid.*, Vol. X, No. 2 (June, 1932), pp. 267–269.

The Wright family home and birthplace of Muriel H. Wright near Lehigh in the Choctaw Nation

Albany Medical College, Albany, New York, in 1884, and took post-graduate training at the College of Physicians and Surgeons in New York City during 1894 and 1895. At the time of Miss Wright's birth, he was practicing his profession at the new settlement of Lehigh, in addition to serving as company physician for the Missouri-Pacific Coal Mines at that location. Meanwhile, he worked actively with Choctaw civic affairs, was one of the founders of the Indian Territory Medical Association and as its president led in the organization of the Oklahoma State Medical Association in 1906. Her mother, a graduate of Lindenwood College of St. Charles, Missouri, had served as a Presbyterian missionary teacher at Atoka, Choctaw Nation, before her marriage.[2]

Miss Wright's earliest memories of her father are trips with him in the upper deck of the caboose of the Denison and Washita Valley Railroad freight trains running from Lehigh to Atoka, a branch line that did not provide regular passenger service, and of jaunts with him in a horse-drawn

[2] *Ibid.*, pp. 270–276; Wright, Autobiographical Notes; Litton, *History of Oklahoma at the Golden Anniversary of Statehood*, Vol. III, pp. 45–46.

buggy to call on patients ten or more miles distant from Lehigh. She also recalls the extended visit in the middle 1890s to her home by her mother's sister and husband, Dr. and Mrs. James M. Dixon, recently returned from Japan, where Mrs. Dixon had served as a Presbyterian missionary and Dr. Dixon had worked as a professor of English in the Japanese Imperial University. The Japanese art items enthralled the child, and she was delighted with the vivid red Japanese kimono and slippers that her aunt and uncle brought her. She also recalls a visit to her home of a four-month-old cousin—Elmer Berger—and his mother from St. Louis, Missouri. Mrs. Berger made a quick return trip to St. Louis because of a death in the family, but left Elmer, a thin, sickly baby, with the Wrights. When Mrs. Berger returned three months later she was overjoyed and remained forever grateful that Dr. and Mrs. Wright had somehow managed to restore Elmer's health. Other early childhood recollections are of trips to New York City, a summer's visit to the Great Lakes and an excursion into Canada as far as St. Johns, Quebec.[3]

In 1895, the Wrights moved to Atoka and remained there until 1902. These years were hectic politically with the strains and struggles over the allotment of Choctaw land to private owners resulting from the work of the Dawes Commission of the United States government. During this period the Choctaw Nation together with the other Five Civilized Tribes were annihilated as governments by the United States. The result was that the schools and other cultural institutions of the Choctaws deteriorated. Nonetheless, Miss Wright attended the Presbyterian and Baptist elementary schools in Atoka during these turbulent years. But the Wright family did not enjoy living in Atoka, and the decision was made to move to the Wright farm and ranch ten miles southwest of Lehigh, which remained the family home from 1902 until the death of Dr. Wright in 1931. Meantime, Miss Wright was taught by her mother, for there were no schools in the vicinity of their new home.[4]

In keeping with family tradition, the decision was made to send Miss Wright to the East for training, and Wheaton College in Norton, Massachusetts, a school for women, was selected. Her father made the trip with her via Washington and New York City in January, 1906. She was alone for the first time in her life, and in the midst of New England culture and a recognized institution of higher education. In the beginning, she was "shy and absolutely frozen," she explained, and "the fact that she was a Choctaw Indian was no asset!" Being from Indian Territory and Southern in some ways also worked to her disadvantage and "caused a flurry" in the college, but the teachers and even the president intervened to correct the situation.

[3] Wright, Autibiographical Notes.
[4] *Ibid.*

Muriel H. Wright when she was three and one-half years old

Meanwhile, she was prospering academically and starred in field hockey. Learning to dance soon after reaching Wheaton helped her socially during her free time and at the scheduled dance hours and special entertainment events, when men students from nearby Yale University and other institutions attended. Vacations during the school year were spent visiting in the homes of New England girls from the college, and these visits, she declared, were "really wonderful." In racial relations Miss Wright noted that the attitude at Wheaton College was pro-Negro, although Negro women were not admitted at the time she attended, and that the political orientation was strongly anti-Southern—both in keeping with the liberal traditions of Massachusetts. Her teachers were the best trained available, having graduated from Radcliffe College, Mount Holyoke College, Wellesley College and even Oxford University. She attended Wheaton College two and one-half years in preparation for entering Wellesley College, but changes in her father's work cancelled this plan. Meantime, on November 16, 1907, Oklahoma became a state.[5]

In December, 1908, she accompanied her parents to Washington, where Dr. Wright served as resident Choctaw delegate to the United States government until April, 1910, for the purpose of working with the unsettled coal, forest and other financial interests of his nation. Miss Wright studied privately during this period, concentrating on French, piano, voice, classics and modern history; and spent much of her time in the Library of Congress and the Smithsonian Institution. The family lived at the Dewey Hotel, where a number of congressmen and senators stayed, including Dr. Wright's social fraternity brother and Union College classmate, Senator Joseph E. Ransdell of Louisiana. At this time *Cosmopolitan* magazine carried a lead article on the Wright family, emphasizing that its members were intelligent, witty and of exceptional ability, but on the whole unsophisticated. When the position of resident Choctaw delegate was eliminated, Miss Wright returned with her family to the farm and ranch home near Lehigh, now in Coal County, Oklahoma. Her next challenge was to prepare for an elementary and high school teaching career in her home state, much in need of trained teachers for its newly established public school system.[6]

Miss Wright entered East Central State College at Ada, some thirty-five miles from the Wright home, in the fall of 1911, only two years after the

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[5] *Ibid.*; "Muriel Hazel Wright," *"Who's Who of American Women, 1974–1975* (Chicago: Marquis Who's Who, Inc., 1974), p. 1057.

[6] Wright, Autobiographical Notes; "Muriel Hazel Wright, *"Who's Who in the South and Southwest, 1973–1974* (Chicago: Marquis Who's Who, Inc., 1973), p. 837; "Joseph Eugene Ransdell," *Biographical Directory of the American Congress, 1774–1971* (Washington: Government Printing Office, 1971), p. 1586.

school was established. Admitted as a senior, she was eligible for graduation the following spring. Though studying history, educational theory, physics and home economics, she believed her most important training was practice teaching. Activities included Class of 1912 projects, the Young Women's Christian Association and basketball. Although a new institution, East Central State, she said, was "forward looking and had really dedicated instructors and professors in the teaching field." An important point stressed in educational theory and practice teaching at East Central State was that a teacher entering a new position, especially in small towns and rural schools, should visit the home and parents of each student in her classes for the purpose of understanding their backgrounds. This she did in her subsequent teaching positions, she explained, and found "it really was important" in working with discipline problems in her classrooms.[7]

Her first position after graduating from East Central State College was as an instructor in the eighth grade at Wapanucka, Johnston County, Oklahoma, at the salary of $50.00 a month. The school board and the parents of her pupils were much impressed with her visits to their homes. The only disciplinary problem she encountered was a tendency on the part of the girls to giggle and cause disturbances. If the leader of the giggling could be determined, she had to stand beside the teacher's desk during the class and take part in all discussions. In addition to teaching the eighth grade, one period each day Miss Wright taught English history in the tenth grade. Then she was lured to Tishomingo, also in Johnston County, for one school year in 1913–1914 with a major percentage increase in salary to $65.00 a month. But the Wapanucka school board wanted her back, so for the 1914–1916 school years they made her high school principal with the salary of $95.00 a month. She also taught Latin, United States history, English history and English in addition to coaching the girls' basketball team and the direction of the senior class plays.[8]

Meantime, for the school year 1913–1914, she taught United States and English history in the high school at Tishomingo and had charge of all classes of the sixth grade home room. But here the public school system was in a secondary position, overshadowed by Murray State College, which offered two years of study past high school. During this period she was active in the Presbyterian Church, including its choir. Two of her students,

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[7] Wright, Autobiographical Notes; "Muriel Hazel Wright," *Who's Who of American Women, 1974–1975*, p. 1057.

[8] Wright, Autobiographical Notes; "Muriel Hazel Wright," *Who's Who in the South and Southwest, 1973–1974*, p. 837.

The famous Oklahoma historian playing tennis while at Saratoga Springs, New York, in 1909

later to become prominent Oklahomans, were Fisher Muldrow and Mary Thompson.[9]

The opportunity came in 1916 to attend Barnard College, the women's unit of Columbia University in New York City, where Miss Wright's hope was to earn the Master of Arts degree in history and English. Her academic program called for two years of full-time study, for the first year was needed to complete prerequisites for the Master of Arts work. Thus she entered Barnard College as a non-matriculated special student, but before the first year was over she had completed some credits toward the long-sought degree. Her history studies were with Columbia University professors, among whom were David S. Muzzey, the noted teacher and author of United States history textbooks, and William R. Shepherd, the well-known teacher and author of Latin-American history books. She also studied advanced English under Edgar H. Sturtevant, an able philologist at Columbia. She roomed and boarded at Brooks Hall, just off the Columbia University Campus, and here she became a close friend of Lucy Dewey, the daughter of John Dewey, the noted American philosopher and educator. Another good friend was Ellen Borden, of the Borden milk family, and an avid student of Indian history and culture. World War I intruded into this pleasant and worthwhile situation and after the United States entered the conflict the women of Barnard, like the people of New York City and the nation in general, were unsettled and anxious to get on with the war. So great was the problem, that Virginia C. Gildersleeve, the administrative head of Barnard College, gathered the students in a mass meeting and announced that the institution would remain in operation regardless of the war and that the semester would be completed as planned. Due to the war, however, Miss Wright was unable to return to her studies.[10]

Her next position was as the principal of rural Hardwood District School Number Thirty-two in Coal County, Oklahoma, adjacent to the Wright family farm and ranch. Here she served as principal from 1918 to 1920, and from 1922 to 1924, at a starting salary of $150 a month. The school year consisted of nine months of training, with sessions from September through March, with time out for the spring planting, and then from late June until late August. Located in a frame building with one large classroom, the school was divided in the center by a curtain which separated the pupils into grades one through four, and grades five through eight. An assistant teacher taught the lower grades and Miss Wright instructed the higher classes. The

[9] Wright, Autobiographical Notes; "Muriel Hazel Wright," *Who's Who of American Women, 1974–1975*, p. 1057.

[10] Wright, Autibiographical Notes; "Muriel Hazel Wright," *Who's Who in the South and Southwest, 1973–1974*, p. 837.

The young historian on a field trip to Old Fort Arbuckle
near Davis, Oklahoma, in 1930

structure was on a spacious five acre tract of bald prairie without trees; during the winter, heat was provided by two large wood-burning iron stoves, in which the teachers built fires early on cold school mornings. Playground equipment consisted of swings and pull-up bars; however, recreation centered on the school's two baseball diamonds, the boys and girls playing together. "It was really a thrill to the teachers," Miss Wright recalls, "to watch the children in their ball games at every spare moment during recess and noon." She organized a Mutual Benefit League for her fifth through eighth grade students for their financial assistance, as they came from renter families and were usually short of money for school supplies This was done by taking the $10.00 a month provided for janitor service by the school board and using it as a school supply purchase fund, with the students doing the janitorial work. Under the supervision of Miss Wright, the money was placed in the bank at Wapanucka each month by the league treasurer, who also ordered all supplies for the classes, such as pencils, paper tablets, note-

books and art supplies. In addition, the students had the experience of auditing the leagues' bank account and doing the janitorial work.[11]

Once more Miss Wright did a stint of school teaching, but this was on a World War II emergency basis arising from a shortage of qualified instructors. During the school year 1942–1943 she taught Oklahoma history in the elementary and high schools in Dustin, in Hughes County, Oklahoma, where she wrote and directed a play for the children of the fifth and sixth grades based on state history and the Great Seal of the State of Oklahoma.[12]

For many years Miss Wright participated actively in Choctaw tribal affairs, a contribution that came naturally from her family background. She served without compensation as secretary of the Choctaw Committee, organized to aid in the settlement of Choctaw business matters from 1922 to 1928, while her father presided over it as chairman. Miss Wright attended all meetings of the committee, kept its records and carried on its correspondence, prepared newspaper reports and had the opportunity to become thoroughly acquainted with many early-day Choctaw citizens. She personally took the lead for the restoration and preservation of the Choctaw Council House at Tuskahoma and worked vigorously and successfully against the effort to move the building to the campus of Southeastern State College in Durant. Simultaneously she wrote articles on the Indian tribes of Oklahoma for publication in *The Tuskahoman*, the official Choctaw newspaper. In 1934, she participated in the organization of the Choctaw Advisory Council, and served as the Choctaw delegate from Oklahoma City. Elected secretary, she remained in that capacity from 1934 until 1944, a period when the Choctaws worked vigorously to secure final settlement of Choctaw properties still outstanding. This effort continues to the present, and currently evolves around the Arkansas River case, adjudicated recently in favor of the Choctaws, and involving upwards to $20,000,000.[13]

Throughout her life, Miss Wright has always emphasized the role of the Indian in the history of Oklahoma, the West and American culture and life. Her family heritage, her early training, and the Oklahoma environment, combined with the need to explain the background of Indians, early turned her interests to this subject. While school teaching, she spent her free time studying the history of the Indians, but more especially the background

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[11] Wright, Autobiographical Notes; "Muriel Hazel Wright," *Who's Who of American Women, 1974–1975*, p. 1057.

[12] Wright, Autobiographical Notes.

[13] *Ibid*; "Minutes", Choctaw Council and Choctaw Advisory Council, Oklahoma Historical Society, Oklahoma City, Oklahoma; Wright, "A Brief Review of the Life of Doctor Eliphalet Nott Wright, 1858–1932," *The Chronicles of Oklahoma*, Vol. X, pp. 283–284.

of the Five Civilized Tribes and other Oklahoma Indians. Of consuming interest to her is the history of the Choctaws and Chickasaws. She was first employed by the Oklahoma Historical Society in 1929 to do research and writing on their history, and continued in this capacity until the appropriation of the Oklahoma Historical Society was severely cut in 1931 due to budgetary inroads of the "Great Depression." Several years later she developed and completed a project, involving considerable basic research, to determine the seals and banners for the Five Civilized Tribes. This effort resulted in the reproduction of the seals and banners and the publication by Miss Wright in *The Chronicles of Oklahoma* in December, 1940, of the article titled "Official Seals of the Five Civilized Tribes." She has made innumerable talks before civic, patriotic and religious groups throughout Oklahoma and the United States on the history of Indians, but especially the Five Civilized Tribes, and published widely on them in a variety of Oklahoma and out-of-state newspapers and journals. Her notable *A Guide to the Indians of Oklahoma*, released in 1951 by the University of Oklahoma Press, has gone through five printings, and is being revised for a second edition. She has worked actively with the National Hall of Fame for Famous American Indians in Anadarko, Oklahoma, from its founding in 1952. In that year she was elected its vice-president and since 1965 has served as president.[14]

Nowhere is Miss Wright's interest in Oklahoma Indians reflected as convincingly as in *The Chronicles of Oklahoma*, the quarterly journal of scholarly studies of the Oklahoma Historical Society, which she guided editorially from 1943 to 1973. Her interest in this publication and the Oklahoma Historical Society dates from the founding of the journal in 1922, when she became a member of the society and published a book review of James H. Malone's *The Chickasaw Nation* in the new periodical. In fact, before she joined the editorial department of *The Chronicles of Oklahoma*, she had published eighteen articles and five book reviews in its pages.[15]

Miss Wright served as associate editor of the quarterly from July 1, 1943 until 1955, but during this period performed all editorial functions, due to the fact that the executive director of the Oklahoma Historical Society as specified in its constitution was the editor in name although not in function.

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[14] Wright, Autobiographical Notes; Records, National Hall of Fame for Famous American Indians, Oklahoma Historical Society, Oklahoma City, Oklahoma; Muriel H. Wright, "Official Seals of the Five Civilized Tribes," *The Chronicles of Oklahoma*, Vol. XVIII, No. 4 (December, 1940), pp. 357–370.

[15] Administrative Records, Oklahoma Historical Society, Oklahoma City, Oklahoma; see appended "Writings of Muriel H. Wright."

The constitution was amended in 1955 to remove all editorial duties from the executive director, thus raising the associate editor to editor, a position held by Miss Wright until her retirement from the organization on August 31, 1973. In the first years of her editorial work with *The Chronicles of Oklahoma* she found it necessary to both reresearch and rewrite many articles to bring them up to publication standards, but as time passed the quality of articles improved, and less research and rewriting was required. "Editing *The Chronicles* has been a hard task at times," Miss Wright commented, "but each issue was a challenge to make better than the last, a privilege I have had for thirty years. May *The Chronicles* continue to live and improve!" Over the years under Miss Wright's leadership the journal has received much acclaim nationally and internationally, but one of the most significant recognitions was the award of the Oklahoma State Writers Association "in appreciation of distinguished and significant service to Oklahoma writers, by providing publication facilities for their works, and in furthering, fostering and encouraging the writers of Oklahoma."[16]

One of the most elaborate undertakings during Miss Wright's editorial service with *The Chronicles of Oklahoma* was the nineteen-part series, "Oklahoma War Memorial—World War II," which she compiled. These articles were authorized by the Board of Directors of the Oklahoma Historical Society on July 29, 1943; the first article appeared in the December, 1943, issue and the last in the Summer, 1949, issue. The staff of the Oklahoma Historical Society assisted initially with the research for the project, especially Mrs. Rella Looney. The series of articles contain short biographical sketches of Oklahomans who died in the military service in World War II. When the name of a deceased service person was located, a personal letter was addressed to either his parents, a relative or a friend requesting biographical data. It requested the deceased's full name, home address, birth date, enlistment date, rank and branch of service, decorations, date and place of death, brief additional remarks and the address and relationship of the person submitting the information. Much additional material was also sent to the Oklahoma Historical Society and filed as a part of the permanent War Memorial Collection, including, photographs, copies of personal letters, newspaper clippings, citations and extended life sketches—some materials were presented as late as 1973. After the appearance of the first Oklahoma War Memorial article, the United States government requested that subsequent articles be submitted to the appropriate office in Washington for

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[16] Wright, Autobiographical Notes; *The Chronicles of Oklahoma*, Vol. XXI, No. 3 (September, 1943) through Vol. LI, No. 2 (Summer, 1973); Certificate, Oklahoma State Writers Association, Oklahoma Historical Society, Oklahoma City, Oklahoma.

The new assistant editor of *The Chronicles of Oklahoma* in 1943

censoring; this was regularly done until the close of the conflict. "I really had to work securing the data, doing all the typing and getting those manuscripts to the censor," Miss Wright recalls. The Oklahoma Historical Society was one of several state historical societies that kept war memorial records for World War II, but likely the only such organization that published the data.[17]

Another unique project carried out by Miss Wright while editor of *The Chronicles of Oklahoma* was the development and completion of the "Fourteen Flags Over Oklahoma" theme. In her research and study of Choctaw and Oklahoma history, including Old Greer County, she became familiar with the various standards that have flown over present-day Oklahoma. So when R. G. Miller, the late "Smoking Room" columnist of the *Daily Oklahoman*, approached her with a request to develop the fourteen flags idea for a feature story, she was well equipped to begin the research. Discovering that although twenty different governments claimed title to part or all of the area now Oklahoma, only ten of these governments had flags. However, some had more than one flag design, thus bringing the total number standards to fly over Oklahoma to fourteen. After completing her research and locating the basic designs of the flags, Miss Wright prepared the articles for the *Daily Oklahoman*; meanwhile the Stillwater, Oklahoma, chapter of the Daughters of the American Revolution developed the first exhibit of the various flags in color. Then a committee of the Oklahoma State Fair worked with Miss Wright in refining and firming up the colors of the fourteen flags. These became the central idea in the Oklahoma exhibit at the New York World's Fair of 1964–1965 and subsequently the permanent outdoor display at the south entrance to the Oklahoma Capitol in Oklahoma City. Finally, Miss Wright wrote the widely-distributed leaflet describing the Fourteen Flags Over Oklahoma exhibit.[18]

While performing the editorial duties of *The Chronicles of Oklahoma*, Miss Wright continued her work with the development and marking of the historic sites of Oklahoma. This interest began as a child and adolescent when she visited such locations as Boggy Depot accompanied by her parents; climbed Mount Scott with her uncle, Frank Wright; and traveled a section of the Butterfield Overland Mail Trail with another uncle, James B. Wright.

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[17] Wright, Autobiographical Notes; "Minutes," Board of Directors, Oklahoma Historical Society, July 29, 1943, *The Chronicles of Oklahoma*, Vol. XXI, No. 3 (September, 1943), p. 518; "Oklahoma War Memorial—World War II," *ibid.*, various numbers, Vol. XXI, No. 4 (December, 1943), through Vol. XXVII, No. 2 (Summer, 1949).

[18] Wright, Autobiographical Notes; Muriel H. Wright, "Fourteen Flags Have Claimed Oklahoma Allegiance Since the Middle Ages," *Daily Oklahoman* (Oklahoma City), March 1, 1953, p. 46; "Fourteen Flags Over Oklahoma" leaflet, Oklahoma Historical Society, Oklahoma City, Oklahoma.

Her first historic site article titled "Old Boggy Depot," was published in the *Daily Oklahoman* in 1922 and, after further research and revision, appeared in the March, 1927, number of *The Chronicles of Oklahoma*. In the summer of 1930, with J. Y. Bryce, a former executive director of the Oklahoma Historical Society, and his wife, she made a six-week tour of eastern and southeastern Oklahoma for the purpose of identifying, photographing, mapping and temporarily marking the historic sites of that area. Also in 1930, accompanied by Mr. and Mrs. Roscoe P. Conkling, Miss Wright searched out all twelve station sites in Oklahoma on the Butterfield Overland Mail Route first operated in 1858; this information was subsequently published in Conkling's book on the Butterfield Overland Mail and was used for the Butterfield Overland Mail on-site marker program of the Oklahoma Historical Society at the time of Butterfield centennial in 1958. In addition, she had served as a member of the Oklahoma Butterfield Overland Mail Centennial Committee from its establishment in 1954 until it concluded its task in 1958.[19]

These efforts were but the beginning of more than forty years of significant contributions by Miss Wright to the historical marker program of Oklahoma. Her work with the state's historic sites in the field, through research, through preservation and in the editorial office of the Oklahoma Historical Society culminated several times in major achievements. Together with George H. Shirk, she researched and wrote the inscriptions on more than 100 roadside historical markers erected around the state between 1949 and 1951, and has continued this work over the years and for the newer on-site markers and stone monolith markers. In 1958, with the assistance of the Oklahoma Historic Sites Committee on which she served, she identified, researched and wrote brief descriptions of 565 historic sites in Oklahoma and published the list in *The Chronicles of Oklahoma* and as a separate booklet. Without her long interest and dedication to the historic site identification, preservation, restoration and marker program in Oklahoma, the state could not today be a leader in the nation in its historic site program.[20]

From the days of her youth, research and writing has been a favorite activity with Miss Wright. At Barnard College of Columbia University she was selected with Lucy Dewey to present her research manuscript before a class. Later in Oklahoma, she began to research and write the history of the

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[19] Wright, Autobiographical Notes; J. Y. Bryce, "Temporary Markers of Historic Points," *The Chronicles of Oklahoma*, Vol. VIII, No. 3 (September, 1930), pp. 282–290; Roscoe P. Conkling and Margaret B. Conkling, *The Butterfield Overland Mail, 1857–1869* (2 vols., Glendale, California: Arthur H. Clark Company, 1949), *passim*.

[20] Wright, Autobiographical Notes; Muriel H. Wright, "Oklahoma Historic Sites Survey," with the assistance of the Oklahoma Histiric Sites Committee, *The Chronicles of Oklahoma*, Vol. XXXVI, No. 3 (Autumn, 1958), pp. 284–314.

Choctaw Nation and early became a recognized historical interpreter of not only the Choctaws and the other nations of the Five Civilized Tribes, but Oklahoma Indians in general. Beginning with her first research article, "Old Boggy Depot," in 1922, she has vigorously continued her historical research and writing interests by publishing articles in a variety of outlets in addition to *The Chronicles of Oklahoma*, such as the *Encyclopaedia Britannica*, *Britannica Book of the Year*, *Encyclopedia Americana*, *Oklahoma Teacher*, *American Indian*, *Indians at Work*, *Daily Oklahoman*, *Oklahoma City News*, *New York Sun*, *Tulsa World*, *Tulsa Tribune*, *Tuskahoman*, *Harlow's Weekly*, *Ethnohistory* and *American Forests*.[21]

She never put aside her interest in classroom teaching when she turned to writing, the result being three history textbooks for the students she no longer had, *The Story of Oklahoma* (1929), *Our Oklahoma* (1939) and *The Oklahoma History* (1955) in addition to workbooks to accompany them: *Our Oklahoma: Work Book in Oklahoma History* (1951) and *The Story of Oklahoma: A Work Book* (1951), with Lucyl Shirk. Simultaneously adult Oklahoma history and biography also beckoned, and she published the widely used and recognized *Oklahoma: A History of the State and Its People* (1929), in four volumes, with Joseph B. Thoburn; volumes one and two are history, three and four are biography. Her book titled *Springplace Moravian Mission and the Ward Family of the Cherokee Nation* (1940) won the Matrix Award of Theta Sigma Phi in 1941 at the University of Oklahoma and her notable reference study, *A Guide to the Indian Tribes of Oklahoma* (1951) has proven indispensible in its field. It received a Rockefeller Foundation grant to assist in its preparation, and was awarded a citation of distinction by the American Association for State and Local History. Long an avid student of the Civil War in Indian Territory, she prepared the *Civil War Centennial Map of Oklahoma* (1963), with LeRoy H. Fischer, and wrote *Civil War Sites in Indian Territory* (1967), also with LeRoy H. Fischer. Her compiled and edited publications include *The Rambler in Oklahoma: Latrobe's Tour with Washington Irving* (1955), with George H. Shirk; *Oklahoma Historic Sites Survey* (1958), with the Oklahoma Historic Sites Committee; and *Oklahoma Historical Markers: Mark of Heritage* (1958), with George H. Shirk.[22]

Miss Wright's most notable editorial contribution, however, will always remain *The Chronicles of Oklahoma*, which she served ably and faithfully for thirty years, a period in which she assumed leadership in producing more than three-fifths of its total volumes. To its pages she brought fresh and exciting perspective as well as new peaks of editorial excellence. Always

[21] See appended "Writings of Muriel H. Wright."
[22] *Ibid.*

insisting on a wide variety of articles in each number from various periods of Oklahoma's history, she firmly believed that the "Notes and Documents" section must always capture the ongoing excitement of historical developments in Oklahoma. She encouraged articles for the journal throughout the state when she found people she believed could make worthwhile contributions. Much of her best research and writing was published in the quarterly before and after she came to its editorial office. On its pages alone she published eighty-three of her authored articles, twelve of her edited articles and twenty-nine of her book reviews, in addition to writing the "Notes and Documents" section in each number. Her writing is characterized by depth of research in primary sources, personal interviews, the use of topography and geography, enthusiasm, insight, creativity and thoroughness.[23]

Always a student in her attitudes, Miss Wright believes, to use her words, that "maximum truth as revealed through study is the strength of intellectual development." She invites change, but at the same time she is convinced that "continuity within the framework of change is fundamental." Although judgment and balance are significant strengths, of greater importance is an individual's desire "to serve society to the best of his ability." In addition, she contends that a person needs to be grateful for his life and appreciate the contributions and the good in others about him. She firmly believes that if mankind is to survive "we must become much more considerate of each other as people." While searching for loveliness and symmetry in all about her, she sums up her view of life when she says: "believe in God, have faith, take a stand and hold it."[24]

Many awards and honors have come to Miss Wright over the years, in addition to those previously indicated. In 1940, she was an Oklahoma Hall of Fame honoree for civic and historical contributions. The MacDowell Club of Oklahoma City in 1948 presented her its MacDowell Colony Award for outstanding writing and provided a scholarship for study at the MacDowell Colony at Peterborough, New Hampshire. The distinguished Service Citation of the University of Oklahoma was awarded to her in 1949 "in recognition of her exemplary work as historian of her native state and chronicler of its people, her fruitful service on Indian councils and committees, and her unfailing response to civic duties and responsibilities." Also in 1949 she received the Professional Achievement Award for her writing from the National League of American Pen Women, and the following year was chosen "Woman of the Year" by the Business and Professional Women's Club of Oklahoma City.[25]

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[23] *Ibid.*

[24] Wright, Autobiographical Notes.

[25] Citation and Award Certificates, Oklahoma Historical Society, Oklahoma City, Oklahoma.

The unveiling of the bust of Principal Chief of the Choctaws, Allen Wright, at the Oklahoma State Capitol on November 14, 1957—(left to right) Muriel H. Wright, Fisher Muldrow, N. B. Johnson and Patrick J. Hurley

Two years later, in 1953 ,the Soroptimist International Club of Oklahoma City presented Miss Wright its award for "outstanding contributions to Oklahoma City," and in 1960 she was commended by the Board of Directors of the Oklahoma Historical Society for "notable public service" in behalf of the history of Oklahoma. In 1963 she received similar recognition from the Oklahoma Civil War Centennial Commission for "outstanding assistance and contributions" to the work of the Oklahoma Civil War Centennial Commission. A signal recognition came in 1964 when she was awarded the honorary Doctor of Humanities degree by Oklahoma City University for her contributions to Oklahoma Indian culture and history. Then in 1968 she was honored by the Camp Fire Girls of America for her "outstanding contribution to the children and youth of America through Indian lore and history," and in 1971 the North American Indian Women's Association awarded her its Certificate of Recognition for the "preservation of American

heritage and encouragement of youth in the field of writing" and honored her "as the outstanding Indian woman of the twentieth century." At the same time Mrs. Richard M. Nixon recognized her for "outstanding and dedicated volunteer service to the community and the nation."[26]

At a dinner on October 25, 1973, honoring Miss Wright for her many years of able and dedicated service to the people of Oklahoma and the nation, Governor David Hall proclaimed "Muriel H. Wright Day, desiring to recognize her achievements and to honor her personally." Then President George H. Shirk of the Oklahoma Historical Society announced the establishment of "The Muriel H. Wright Heritage Endowment" award for the best article each year published in *The Chronicles of Oklahoma*. But perhaps Leslie A. McRill, the Poet Laureate of Oklahoma, caught the spirit and contribution of Miss Wright even better when he said in concluding the evening's program:[27]

The poet will sing of your prowess,
In fields of historical lore,
A life work stands out to your credit,
Enduring, to please evermore.

Ancestry has given incentive,
To seek for all pertinent facts,
The brilliance of our own unique history,
Reflected in man's thought and acts.

Meticulous search, never ending,
An Editor writing with care,
In *The Chronicles* duly recorded,
Your efforts we all gladly share.

We rise in salute to your genius,
Indefatigable research of years,
There'll never be match for your labors—
Oklahoma counts you with her Seers!

[26] *Ibid.*

[27] Governor David Hall Proclamation, Muriel H. Wright Dinner Invitation, "The Muriel H. Wright Heritage Endowment Announcement," and Leslie A. McRill's Poem, Publications Department, Oklahoma Historical Society, Oklahoma City, Oklahoma.

THE WRITINGS OF MURIEL H. WRIGHT

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RECOLLECTIONS OF MY EARLY LIFE

*By Carl Bert Albert**

I was born May 10, 1908, at the Bolen-Darnell coal mining camp in North McAlester, Oklahoma, and was the eldest son of Ernest Homer Albert and his wife, Leona Scott. Pittsburg County, Oklahoma, records indicate that my parents were married in McAlester, Indian Territory, on March 2, 1907. My mother's cousin, Essa Durman Mellor, who attended the wedding told me that they were married in a little church south of the old Albert Pike Hospital in McAlester. The house in which I was born was one of several which were similar in type and had been built by the mining company for its employees. It was located on what is now North "A" Street in McAlester, just across the street west of the Bolen-Darnell company store, two blocks east of what was known as the Old Bolen Coal Mine, and across the street north from the Missouri Kansas and Texas Railroad spur which ran to the Bolen-Darnell Mine. My father was gasman and shot-firer at the mine, and I have a recollection that he and another man later opened the so-called Little Bolen Mine about a block east of where we lived.

Mrs. Tom Welsh, next door neighbor, was called over by my father the morning I was born, while he rushed to the store to call Dr. Virgil H. Barton who delivered me. Mrs. Welsh said that Dr. Barton handed me to her as soon as I was delivered, and she laid me at the foot of the bed where Mrs. Tom Sawyers dressed me. Mrs. Fisher also came over from the store to witness my birth ceremonies as did Mrs. Pete Stark. Mrs. Welsh told me I was born on a bright and beautiful May morning about eight o'clock. She remembered the time because my father was getting ready to go to work when my mother's birth pains stopped him.

I have some recollections about my father starting the Little Bolen Mine. For instance, I remember him bringing the engine for the new mine in a wagon by our house. The wagon was pulled by a team of mules, called Mack and Kit, who were my father's pride and joy. They were later to be our principal farm animals and were kept until they died. Kit, the female, died when I was about fourteen years old, but Mack lived until after I was an adult. My great-grandfather, Eli Albert, also gave my father a beautiful black horse, called Nick, which lived to be quite old. This had

* Carl B. Albert has represented Oklahoma in the United States Congress since 1947 and is presently the Speaker of the United States House of Representatives.

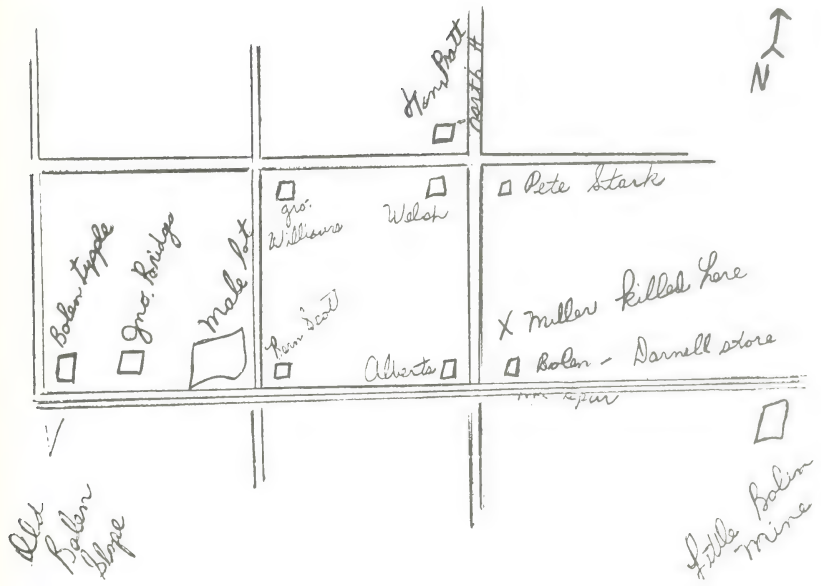
Carl Bert Albert as a child in North McAlester

to be before June 9, 1906, when my great-grandfather died at Wilburton, Indian Territory.

Most of my earliest recollections are of various unimportant events that occurred while we were living in the Bolen-Darnell camp. The first authenticated recollection that I have, although probably not the earliest event, was visiting my father's sister, Alice, his brother, Bert, and his parents, Granville and Mary Jane Albert, who lived near Wayne, Oklahoma. My aunt was seven years older than my father and was the wife of Thomas J. Boatwright. My uncle Bert, from whom I acquired my middle name, married Zona Dilleshaw who is still alive and lives in Elk City, Oklahoma. She remembers our visit to them near Wayne and told me it was in August, 1910. This means that I was two years and three months old at the time. One of the things I vaguely remember about the visit was that we traveled in a covered wagon and camped by the roadside at night. While now it takes about an hour and a half by automobile to make the journey, the trip required three days in 1910. I recall seeing my first large plow. It had an iron seat with holes in it, and my uncle placed me in the seat which gave me a great thrill. I remember being in the living room of the house and seeing a little skinny old man with a long beard, and they told me to remember that this was my great-grandfather, Dennis Logsdon, who was my grandmother Albert's father.

I have no way of stating them in chronological order, but I do remember certain things that happened while we lived at the Bolen-Darnell camp. I recall pulling the prop out from under a window and mashing off my thumb nail which left a permanent scar. Once my mother sent me to the store, across the street with a nickel to buy a loaf of bread and I came back with a sack of candy. One day while looking for my father I went to the mine and was about to enter the slope when somebody grabbed me. I remember trains going by our house to pick up the coal at the mine, and a man with black, curly hair named Robert Miller who roomed in a house next door and who was shot and killed near our yard. I was very hurt by this because I was fond of him.

Now for some of the people who lived in our neighborhood that I remember. West of us in the same block was living the family of Stacy Sylvester Scott, my mother's uncle whom we always called "Uncle Bom." Somewhere north of them lived John Williams who married my mother's cousin, Lettie Knight. I remember John Williams's kids—Ruby, Harry, Louis, Lowell and Dorothy. Harry was quite devilish as a youngster and he was older than I. One day he came over and walked me toward their house through a cow lot. I was barefooted and Harry asked me to look up at the



Sketch by Carl Albert illustrating a portion of North McAlester as he remembered it from his childhood.

birds. Before long, I discovered he had guided me into a big pile of soft cow manure.

Liberty C. Williams, John's brother, was living in Alderson, Oklahoma. He had married my mother's only full sister, Myrtle Scott, who still lives in Oklahoma City, Oklahoma. She and my mother were very close until mother died. Pete Stark and Tom Pratt lived on the same street as we. Pratt had only one leg, and often he wore his artificial leg, while at other times he wore a peg leg. I remember how this used to amaze me because I would say "here comes Mr. Pratt with his real leg on this time," or "he has his peg leg on this time."

Very close friends of ours, who lived somewhere in the neighborhood were George Gorseline and his wife, Detta, their daughter, Hazel, and son, Ralph. The family later moved to Denison, Texas. Earl Niel, who

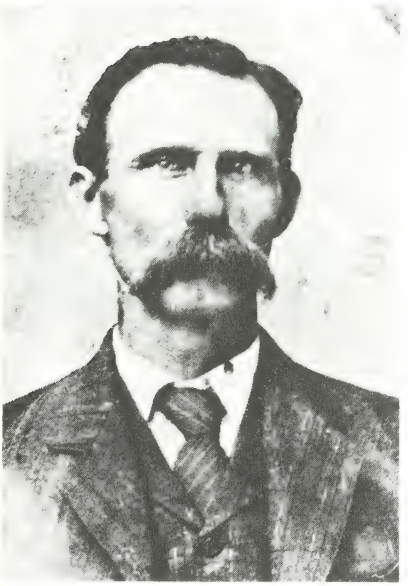
married a member of the Settle family, was also a friend of my parents. Morgan Hopkins and Ralph Webster operated the company store. Tom Welsh told me he moved away from Bolen to the Number Five Mine in 1910. I do not remember the people who moved there after him, but I think it was Sige Monday and his family and that they were the people Miller was living with when he was shot.

There were other things I sometimes think of about my families' life in the Bolen camp. I recall going out to see my grandfather, Robert Carlton Scott and his family. They lived on what we called Pine Mountain in the Mountain View rural community about four miles north of Krebs, Oklahoma, which was about one-half mile east of the Mountain View school. Mountain View was south of Bug Tussle where I later spent most of my childhood. People who later lived in this house were a Mr. and Mrs. Ross and the Boone family. I was named after grandfather Scott—the "Carlton" being shortened to "Carl." His first wife, my own grandmother, Sarah Margaret Frantz, died when my mother was only five or six years old. His second wife, the daughter of Joe Clark, was my step-grandmother and the one I always called grandma. Her maiden name was Mary Elizabeth Clark, but she was known by her nickname, "Pedro." She was a small, dark and well educated woman and died a few years ago in California at the age of ninety-two. Grandfather had three children by his second marriage, Robert Stacy and Elsie, both deceased; and Ruth, who lives in Los Banos, California.

I remember Grandfather Scott coming to see us once at Bolen. He made the journey on his old horse, Speck, but during the trip the horse became ill. Grandfather heated a bottle of medicine on the old coal range cook stove, and then placed the bottle in old Speck's mouth and held it until he drank it all. Nevertheless, Speck died and the next day a man came with a team of horses, put a chain around Speck's neck and dragged him away. This hurt me deeply and over the years a child's peculiar feeling of sadness overtakes me when I think of this tragedy.

I also recall playing in the kitchen and on the porch with my brother, Noal, who to the present day is known by his nickname, "Budge." He received this nickname because it was my way of saying brother when I was about twenty months old. My mother used to bathe us both together in an old galvanized tub, the water for which was carried from a well in the yard. I remember seeing my first mouse run across the bedroom floor.

I can still recall seeing my first automobile. It was parked on Choctaw Avenue in McAlester on the south side of the street near its junction with First Street, almost directly across the street from where the Comar Hotel now stands. The automobile was a beautiful thing with a large rubber



Robert Carlton Scott for whom Carl Albert was named.

horn and lantern like lamps on the sides. The first movie I attended was probably in 1911. It had something to do with the story of Christ and all the characters shook as they moved.

I also remember my first swimming and fishing experiences. The swimming hole was a creek and my father took my mother, brother and I in an old Springfield wagon. The Gorselines accompanied us and my father and Mr. Gorseline tied a rope to a tree and they would swing from off a high bank into the deep water. The first fishing trip which I recall was at one of the McAlester lakes. I think it is now known as Lake Number One. A man had caught a large bass and had strung him out on a cord. Swimming and flapping in the water, the fish impressed me with its beauty and motion and I have never forgotten the experience. I do not remember whether my parents caught any fish or not on that outing.

The old unpainted, gray, four-room, frame house in which I was born no longer stands, but I have vivid memories of it. It was still there while I attended high school, and I could always walk straight to it even though I was only three years old when we moved. Nearly all the houses in the Old Bolen-Darnell camp are gone, replaced by nice, modern, low cost houses. In the whole area, only the lot occupied by the house in which I was born remains vacant. The old store is gone also, but not far away the remains of Old Bolen, one of the great mines of the McAlester coal boom era, can still be seen.

When I was three years old, my family moved to a little community called Baker, Oklahoma, about three or four miles west of McAlester; however, we remained there only a few months. My father took a job in a nearby mine, but was injured when a rock fell on him. Years later, after I was in Congress, the man who pulled the rock off my father told me about the experience.

I do not remember much about Baker. I do recall mother's sister, Myrtle Williams, who married Liberty C. Williams, and her family coming by

Speaker of the United States House of Representatives—Carl Albert.

just before they left for Wyoming. We children affectionately called Aunt Myrtle's husband Uncle "Lib." During their visit, a photographer came by and took some tintype photographs of us. Alonzo David Williams, whom we called Dave, came with them and remained while Aunt Mrytle and her family were in Wyoming. Dave was an orphan about twelve years old and a half brother of Uncle Lib. My father always said Dave was the best boy he had ever known, and he stayed with us, my grandfather Scott and Uncle Lib, until he was grown. One day mother sent Dave and I to the mine to get a bucket of hot water. We bumped into one another and the hot water spilled on my right leg. I thought I was on fire and my leg was sore for a week. While we lived in Baker, the family had a little, wire haired terrier named Fiste. He was very intelligent and the children taught him all sorts of tricks and became very attached to him.

One day we were going to town in a buggy and stopped by Philip Shackleford Scott's house, a brother of my grandfather Scott, who lived north of us. I can still see his three children leaning against the fence. So far as I know, that was the first time I had ever seen them. Their names were Roy, Ray and Etha.

It was the accident which my father had in the Baker Mine while my brother and I were still not much more than babies that caused my mother to rebel against my father continuing to work in the mines. She insisted that he become a farmer, as it was the only other occupation he knew. It was this decision that caused us to move from Baker to Bug Tussle. My grandfather Scott was already living on a farm in the area, and he made arrangements for us to rent a nearby farm which joined the farm my father later purchased.

Thus I left the community of my birth; however, the youthful experiences of my early life in southeastern Oklahoma had a profound impact on my life. I can still vividly recall the happy days of my childhood with my family and the adventures experienced by all children. It was one of the happiest times of my life.

OKLAHOMA'S TERRITORIAL DELEGATES AND PROGRESSIVISM, 1901–1907

*By George O. Carney**

The goals of the progressive movement in early twentieth century America included tariff, tax and banking reform; regulation of railroads and trusts; the employment of child labor; improvement of the conditions of the laborer and the farmer; and political innovations conceived in the interest of perfecting democracy and representative government. These ideals constituted a working definition of the progressive program and formed the basis of the Progressive party. The terms progressive and progressivism do not necessarily reflect the view that there was at any time during the period from 1901 to 1907 any large group of men who were in agreement on all of the goals included in the reform program. Rather these terms and the definition refer to a trend that historians have apparently observed in the politics of the United States during the period from 1901 to 1907, and to the issues that historians suggest became uppermost in the politics of that period.

With the shooting of President William McKinley on September 6, 1901 and his death on September 14, Vice-President Theodore Roosevelt, the former reform minded governor of New York, became president. After he entered the White House, Congress, following his recommendations, began to expand the social, economic and political responsibilities of the Federal government and laid the groundwork for an entire series of subsequent developments. The role of Oklahoma's territorial delegates in this development has received little attention. Therefore, the stand taken by the territorial representatives, Dennis T. Flynn and Bird S. McGuire, on the reform issues that came before the United States House of Representatives from the Fifty-seventh through the Fifty-ninth congresses, offers insight into the strength of progressive ideas in Oklahoma Territory.

The standard employed to determine the bills that constituted progressive legislation was derived from the judgment expressed by eight leading American historians of the period, primarily from the consensus school of historiography.[1] These historians cited several measures and actions which they considered reform issues of the 1901–1907 period: Newlands Recla-

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* The author is an Assistant Professor of Geography at Oklahoma State University, Stillwater.

[1] Benjamin P. DeWitt, *The Progressive Movement, A Non-Partisan, Comprehensive Discussion of Current Tendencies in American Politics* (New York: Macmillan and Company,

mation Act and Northern Securities Case of 1902; Elkins Act and Bureau of Corporations of 1903; Hepburn Act, Pure Food and Drug Act, Meat Inspection Act and Employers Liability Act, all of 1906. It should be noted that the standards to be used express the interpretation of one school of historiography; it does not take into account the more recent studies which have suggested a re-evaluation of the progressive period indicating that it was not a reform era, but rather a period of conservatism.[2]

Dennis T. Flynn, a Guthrie, Oklahoma Territory Republican, had previously served as the non-voting delegate from Oklahoma Territory from 1892 to 1896 and again from 1898 to 1900. He was re-elected in the campaign of 1900 to serve in the Fifty-seventh Congress and therefore was present in Washington, D.C., during much of the progressive legislation. Throughout his service prior to 1900, Flynn had solicited support for his constituents largely on the issue of "free homes." While the provisions of the Homestead Act applied chiefly to Oklahoma Territory, much of the land was not free as was the case for most of the public land in the West. To open Indian Territory land to homeseekers the Federal government had first to extinguish Indian title by purchasing each tribe's surplus land. This cost was passed on to settlers, generally running about $1.25 an acre, and Flynn's "free homes' plan proposed to repeal these charges. When Congress finally passed the "free homes" bill in 1900 it saved Oklahoma settlers an estimated $15,000,000.[3]

1915); Harold U. Faulkner, *The Quest for Social Life and Times of William Howard Taft* (New York: Farrar and Rinehart, Inc., 1939); George E. Mowry, *The Era of Theodore Roosevelt and the Birth of Modern America, 1900–1912* (New York: Harper and Row, 1958); Russell B. Nye, *Midwestern Progressive Politics: A Historical Study of Its Origins and Developments, 1870–1895* (New York: Harper and Row, 1959); Eric F. Goldman, *Rendezvous With Destiny: A History of Modern American Reform* (New York: Vintage Books, 1952); Arthur S. Link, *Woodrow Wilson and the Progressive Era, 1910–1917* (New York: Harper and Row, 1954); and Richard Hofstadter, *The Age of Reform: From Bryan to F.D.R.* (New York: Vintage Books, 1955).

[2] The most outspoken proponent of the New Left re-evaluation of the progressive period is Gabriel Kolko, who states that the combination of glittering promise and empty performance in progressivism in the end headed off "the radical potential of mass grievances and aspirations of genuine progressivism," or, in other words, of true social reconstruction. See Kolko, *The Triumph of Conservatism: A Reinterpretation of American History, 1900–1916* (New York: Free Press of Glencoe, 1963). The same theme in a narrower compass may be found in Kolko's volume on railroad legislation during the progressive period. See Kolko, *Railroads and Regulation, 1877–1916* (Princeton: Princeton University Press, 1965). For a brief discussion of how the New Left historians have treated the progressive period see Irwin Unger, "The 'New Left' and American History," *American Historical Review*, Vol. LXXII, No. 2 (July, 1967), pp. 1237–1263.

[3] Victor Murdock, "Dennis T. Flynn," *The Chronicles of Oklahoma*, Vol. XVIII, No. 2 (June, 1940), pp. 107–113; Dennis T. Flynn, "Strenuous Political Legislative Battle Fought to Obtain Free Homes Bill," *Oklahoma City Times* (Oklahoma City), November 10, 1932.

Dennis T. Flynn, a Republican from Guthrie, who served as Oklahoma Territory's representative in the United States Congress from 1892 to 1896 and 1898 to 1903.

As "free homes" had been the rallying cry of all Oklahoma politicians and political parties since the campaign of 1894, it was natural that Flynn should be the hero of the hour. In the issue of May 19, 1900, the *Weekly Oklahoma State Capital* of Guthrie printed some twenty special dispatches from towns over the territory expressing gratitude at the passage of the bill and praising Flynn. "Free Homes Day" was celebrated in a score or more cities.[4] In part these celebrations were engineered by Republican politicians, but the greater number represented spontaneous acclamation. When Flynn returned from Washington, a "welcome home" celebration drew approximately 5,000 people at Guthrie, and a similar rally at Oklahoma City, Oklahoma Territory, on July 2, 1900, was attended by about 6,000.[5]

Flynn had become so popular as a result of his parliamentary success that he was easily renominated by the Republican state convention, which assembled at Guthrie in August, 1900. He was opposed in the general election by Robert A. Neff, the coalition candidate of the Democrats and Populists, a combination that had been victorious over Flynn in 1896. But Flynn's candidacy was so closely tied with the "free homes" success that it was inevitable that wherever he spoke the meeting turned into a celebration. The Democrat-Populist coalition pointed in vain to the fact that "free homes" was a non-partisan or perhaps a multi-partisan issue and that all parties had assisted in securing adoption of the bill in Congress. Regardless, Flynn was given all the credit for this gift to the settlers, credit which could only assist his campaign.

Also, the lack of a unifying issue was apparent in the ranks of the Democrat-Populist coalition. The problem was that in 1896 the great national issue of free silver had served to unite all reform forces. This issue had declined in importance by 1900, and its absence left the coalition with no campaign message to match Flynn's "free homes" claim. The schism was deepened when the Republican press called the attention of the Populist to the fact that Neff was a straight-out Democrat and not a Populist.[6] The campaign of 1900 turned out to be a very one-sided affair as Flynn, the veteran Republican campaigner, won a decisive victory over Neff with a popular vote of 38,253, as compared to 33,529 for Neff and 1,585 for the other candidates.[7]

Flynn was associated with the men who formed the nucleus of what

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[4] *Weekly Oklahoma State Capital* (Guthrie), May 26, 1900 and June 2, 1900.

[5] *Ibid.*, July 7, 1900.

[6] *Ibid.*, September 15, 1900 and September 22, 1900.

[7] State of Oklahoma, *The Oklahoma Red Book* (2 vols. Oklahoma City: Office of the Secretary of State, 1912), Vol. II, p. 306.

came to be called the "Old Guard" or "standpatters." This was the wing of the Republican party which favored the status quo or conservative philosophy, and whom the Progressives viewed as conferring favors on special interest groups such as the railroads and manufacturers. Flynn become well acquainted with Thomas B. Reed, a congressman from Maine, and supported Reed for the 1896 Republican presidential nomination over McKinley.[8] Reed, Speaker of the United States House of Representatives during the 1890s, became known as "the Czar" due to his arbitrary leadership and his interpretation of existing rules which curtailed any power the Democratic minority might have possessed. However, Flynn's support of "Czar" Reed did not place him in a favorable position with certain Progressive politicians. Territorial newspapers also reported Flynn's intimate association with Reed. In the Blackwell, Oklahoma Territory, *Times-Record* of March 12, 1903, an article entitled "Passed 98 Bills" told of the "fancy" that Reed had taken for the delegate from Oklahoma Territory and the assistance provided by Reed to Flynn in passage of the "free homes" bill.[9]

Due to his association with Reed and others of like political nature, Flynn ran into trouble when Theodore Roosevelt took the oath of office. His relationship with the new president is vividly described in the *Mangum Star*, a Democratic publication. The December 19, 1901 article was entitled "Flynn's Hot Wire Grounded." Flynn had gone to Roosevelt seeking action on some Indian Territory matters and was met by an irate president. "You should confine your business to your own constituency Flynn. And right here I want to say that there is to be a general change in conditions in Oklahoma" Roosevelt declared.[10] The article stated that much more was said and that Flynn became so angry that he forgot to state the business that originally brought him. According to the story, Flynn was no longer an admirer of Roosevelt.

In the first session of the Fifty-seventh Congress, Flynn delivered some lengthy remarks concerning statehood for the territories of Oklahoma, Arizona and New Mexico. In a May 8, 1902 speech before the House of Representatives Flynn favored "House Resolution 12543," which provided for the people of Oklahoma, Arizona and New Mexico to form constitutions and state governments and be admitted into the Union on an equal footing with the original states. Arguing for statehood, Flynn declared:[11]

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[8] *Times-Record* (Blackwell), March 12, 1903.

[9] *Ibid.*

[10] *Mangum Star* (Mangum), December, 1901.

[11] United States Government, *Congressional Record*, 57th Congress, 1st Session (Washington: Government Printing Office, 1902), Part 5, p. 227.

> It has now come to this, that in the consideration of this bill, in the language of old, 'Just and due consideration of the rights of the people should be the paramount question considered.' There are more people in every one of these Territories now applying for admission than were in many of the States now represented upon this floor.

Flynn was asked why Oklahoma was not reported alone for statehood, and he promptly replied that all members of the Committee on Territories, both Democrats and Republicans, had unanimously approved the bill as it now stood; he thought it was right that all three of the territories should be admitted.[12]

From the above evidence it would seem that Flynn's posture on the statehood for territories issue would have endeared him to the Progressives. This issue became more relevant to progressivism somewhat later when the Arizona and New Mexico state constitutions were being debated prior to the 1912 elections. It appears that the issue of Oklahoma statehood was Flynn's major concern.

Flynn introduced one significant bill "House Resolution 8327," in the first session of the Fifty-seventh Congress, a bill which would provide for the protection of miners in the territories. It was a revision of a previously passed law of 1890 governing the protection of miners in Indian Territory. The old bill had required 3,300 cubic feet of air per minute for every 50 men at work in the mines, whereas Flynn's resolution would increase the cubic feet per minute to 5,000. Flynn stated on January 30, 1902, in the House of Representatives, that the old bill had been most beneficial for miners, but he believed that the additional protection was essential.[13] Because the social justice element of progressivism had campaigned for the improvement of working conditions and more stringent safety requirements, it would appear that Flynn might have been commended by Progressives for this legislative action, even though somewhat minor in its extent of coverage.

Another measure of Flynn's work in Congress was the reaction of the territorial press, however, the political polemics and partisanship of many of the papers somewhat limit this source. Among the territorial papers, one of the leading critics of Flynn was the *Shawnee Herald*, known for its Democratic leanings. In a scathing editorial written near the close of Flynn's last term, the *Shawnee Herald* published a list of bills under the heading "Flynn's Great (?) Works." The editorial mentioned that even

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12 *Ibid.*

13 *Ibid.*, Part 2, p. 1130.

the Republican controlled Newkirk, Oklahoma Territory. *Republican News-Journal* was able to find only three bills for which Flynn was responsible that directly or indirectly benefited all the citizens of Oklahoma Territory: a bill creating two additional judges for the territory, an act prohibiting the legislature from locating the capital or any of the public buildings and a motion providing for the redistricting of the territory by a commission which it expected would gerrymander the territory so that the Republicans might control both houses of the territorial legislature. Every other bill, the editorial proclaimed, was either a private graft for someone who had been able to enlist the stalwart offices of the self-serving delegate, or it was a measure of purely local interest, such as allowing the new counties to spend their own money, or appropriating $100,000 for Guthrie and Oklahoma City public buildings. In a condemning summation of what the paper called Flynn's "great (?) work," the article declared:[14]

> The facts are that Oklahoma would generally have been better off if Dennis Flynn had gone to Honolulu before Congress met instead of after. His private grafts and personal ends are his chief aim and even a Republican Congress would do more for the territory if we had no delegate at all—unless we had an honest one. The territory has had enough tommy-rot about Flynn's 'great work.'

On the other hand, Flynn's work was praised by a *Kansas City Journal* article which was reprinted in several Oklahoma Territory newspapers. The story, entitled "Passed 98 Bills," told of Flynn's pride in the fact that he had left Congress with more bills to his credit than any other previous member.[15] However, only the "Free Homes" bill of the ninety-eight in which Flynn was involved was of enough significance to mention in the article. The article reported that according to "Mr. Cannon and the late Speaker Reed, Flynn was the most successful delegate that ever entered Congress."[16] The "Mr. Cannon" referred to was the new Speaker of the United States House of Representatives, Joseph G. Cannon, Republican of Illinois, who replaced Reed in the Fifty-seventh Congress. This statement was of interest to Progressives as Cannon's name became virtually synonymous with dictatorial power in the House of Representatives, and company of this type did not leave Flynn in a satisfactory position with the early Progressives.[17]

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[14] *Shawnee Herald* (Shawnee), July 26, 1902.

[15] *Times-Record*, March 12, 1903.

[16] *Ibid.*

[17] For an interpretation of Cannon's dictatorial power see Blair Bolles, *Tyrant from Illinois: Uncle Joe Cannon's Experiment with Personal Power* (New York: W. W. Norton, 1951).

Did Flynn speak in behalf of any of the early progressive legislation that was of national concern? The best indication of Flynn's attitude toward national issues was reflected by his statement upon retirement that the reason he had enacted so many measures affecting Oklahoma was the fact that he "never tried to meddle in general legislation."[18] Asked about general legislation, Flynn remarked that he had introduced but one bill that was of general concern, and that was in regard to the authorization of fourth class postmasters to administer oaths in pension vouchers and the use of postmarking stamps instead of a notary of the public seal.[19] The nature of this piece of legislation left something to be desired in comparison with the burning reform issues of the day.

Even after his retirement from Congress, Flynn remained active in Republican party circles. In 1908 there was considerable talk of Flynn being appointed to the newly elected President William Howard Taft's cabinet. In an *Oklahoma City Times* editorial, there was a call for Taft to appoint Flynn as Secretary of the Interior. Flynn, having just been defeated for the United States Senate, appeared as a likely candidate to many Republicans, at least in Oklahoma, as he represented a western state and, according to the newspaper, should be rewarded in some fashion for the faithful service he had rendered for the Republican party.[20] Apparently there was not a serious national effort for Flynn's appointment.

The first territorial delegate of the progressive period retired from Washington in March, 1903, after making the following announcement: "I originally entered politics for the purpose of passing the 'Free Homes' bill. That has been accomplished and that statehood must come shortly, there are others who can as well represent the people and the party in congress as myself."[21] This announcement by Flynn gave hope to all aspirants for the office, both Democrats and Republicans. The Democrats believed that Flynn had been stronger than his party in Oklahoma Territory and for this reason it might be possible to wrest control of the region from the Republicans. Meanwhile, the Republicans began a campaign to convince the citizens of Oklahoma Territory that congressional action on the statehood question would depend upon the election. Flynn was quoted as saying: "If Oklahoma goes Republican, and thus gives an evidence of the ability

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[18] *Times-Record*, March 12, 1903.

[19] *Ibid.*

[20] *Oklahoma City Times*, November 7, 1908.

[21] *Daily Oklahoma State Capital* (Guthrie), March 8, 1902; *Oklahoma City Times*, May 14, 1925.

Dick T. Morgan of Woodward—one of the Republican candidates in the 1902 race for Oklahoma's territorial delegate to the United States Congress.

of the Republican Party in the territory to continue in control, there will be little doubt of her admission."[22]

In the Republican preliminaries in Oklahoma Territory, Dick T. Morgan of Woodward, Bird S. McGuire of Pawnee and Joseph W. McNeal of Guthrie entered the race.[23] Likewise, some nine Democrats sought the nomination of their party, with William M. Cross of Oklahoma City the leading contender. At the Enid Republican convention, McGuire was selected on the third ballot. In contrast, the Democrats took thirty-nine ballots before Cross was nominated.[24]

In their platform, the Republicans endorsed the Flynn statehood bill, which provided for the admission of Oklahoma Territory as a state without regard to Indian Territory.[25] The Democrats, in their platform, urged the admission of Oklahoma and Indian territories as one state. In the campaign the Republicans took the stand that immediate statehood for Oklahoma Territory with an eventual addition of Indian Territory would secure quick admission and that the Democratic plan could mean only prolonged delay.[26] The Democrats charged that the Republican members of the United States Senate Committee on Territories were the ones that were delaying statehood.[27] The election was extremely close, with McGuire winning by a plurality of only 484 votes. Cross carried eight counties: Cleveland, Day, Greer, Kiowa, Oklahoma, Pottawatomie, Roger Mills and Washita, while McGuire won the remaining eighteen.[28] The popular vote

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22 *Guthrie Daily Leader* (Guthrie), April 19, 1902.

23 *Ibid.*, April 18, 1902; *Daily Oklahoma State Capital*, April 20, 1902.

24 *Guthrie Daily Leader*, April 23, 1902.

25 Luther B. Hill, *History of the State of Oklahoma* (5 vols., Chicago: The Lewis Publishing Company, 1910), Vol. I, p. 343.

26 *Weekly Oklahoma State Capital*, August 23, 1902 and September 27, 1902.

27 *Weekly Oklahoma State Capital*, June 14, 1902.

28 State of Oklahoma, *The Oklahoma Red Book*, Vol. II, p. 306.

Bird S. McGuire, a Republican from Pawnee, who represented Oklahoma in the United States Congress from 1903 to 1915.

was 45,896 for McGuire, 45,509 for Cross and 2,998 for other candidates.[29]

McGuire, taking his congressional seat on March 5, 1903 in the Fifty-eighth Congress, held his position until March 3, 1915, the termination of the Sixty-third Congress. During this period a special election was held on September 17, 1907 which selected five congressmen from the new state of Oklahoma. McGuire was re-elected in 1904 by a 1,586 vote plurality over Frank Mathews, the Democratic candidate. The vote being McGuire, 51,454; Mathews, 49,868; and the other candidates, 7,823.[30]

The legislative battles in the Fifty-eighth and Fifty-ninth congresses, of which McGuire served as delegate, fell into two groups. One encompassed three bills to regulate the railroads. Of these, the most important was the Hepburn Bill, providing for the regulation of freight and passenger rates by the Interstate Commerce Commission. Another act increased the railroads' liability for injury to employees, and a third limited the hours of railroad employees engaged in interstate commerce. The second group included two resolutions intended to protect health and welfare, the Pure Food and Drug Act and the Meat Inspection Amendment to the Agricultural Appropriation Bill.

Among the pro-McGuire newspapers, the most outstanding tributes were paid by the Blackwell *Times-Record* and the *Chandler News-Publicist*. Both of these papers published full page articles in 1910 covering McGuire's work in Congress. Under the sub-heading entitled "Wonderful Legislative Record" they proclaimed that he participated in the efforts of Congress which had brought forth more constructive and progressive legislation in the interests of the whole people than any similar era in the history of the country.[31] Both papers stated that he had stood shoulder to shoulder with the Republican organization in Congress in permanently placing these reforms on the statute books.[32] The specific legislation, mentioned by both papers, that McGuire had supported were the Pure Food and Drug Act, the Meat Inspection Act, the Employer's Liability Act and the Hepburn Railroad Act—all passed in 1906. They also contended that McGuire was deeply interested in reclamation of lands and in good roads. Yet the pages of the *Congressional Record* revealed nothing of his progressive views. McGuire's activity in the Fifty-eighth and Fifty-ninth congresses was confined to the introduction of a statehood bill for Oklahoma and two bills concerning the granting of additional land for the Agricultural and Mechan-

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[29] *Ibid.*
[30] *Ibid.*
[31] *Times-Record*, June 16, 1910; *Chandler News-Publicist* (Chandler), June 3, 1910.
[32] *Ibid.*

ical College of Oklahoma Territory. All of his remarks on the floor of the House of Representatives were limited to discussion of his statehood bill, and offer no evidence to indicate how McGuire felt concerning the issues which were of interest to Progressives.

There were denunciations of McGuire's record as territorial delegate supplied mostly by the Democratic newspapers of the territory. In an editorial that appeared in both the *Shawnee Herald* and the *Muskogee Times-Democrat*, McGuire was verbally assaulted for his laziness: "he has done nothing more strenuous than draw his salary and throw bouquets at his Republican press agents."[33] The article continued to assail McGuire and the "guff now being handed out to the Republican newspapers of Oklahoma by a worshipping press agent in Washington, proclaiming McGuire as the Modern Moses."[34] Nothing was mentioned as to the progressive stance of McGuire in these strongly Democratic newspapers.

Likewise unfavorable to McGuire's legislative record was the nationally known mouthpiece of progressivism, *LaFollette's Weekly Magazine*, edited by the former governor of and later United States Senator from Wisconsin, Robert M. LaFollette. The magazine stories on McGuire, written in 1910 and 1912, illustrated his service as a territorial delegate from a point of view outside Oklahoma. In the LaFollette magazine's permanent column headed "The Roll Call on Men and Measures," McGuire was the featured legislator on June 18, 1910. The first part of the column defined a demagogue as one who attempts to control the multitude by specious and deceitful arts. The definition, said LaFollette, was applicable to McGuire because he secured his election to Congress by false promises of public service, and when in office, betrayed the trust of the people who elected him.[35]

The next segment of the article discussed McGuire's record in the two congresses prior to statehood for Oklahoma. LaFollette in describing McGuire's tenure as territorial delegate declared:[36]

> Oklahoma and Indian Territory comprised the last general reserve which the Federal Government had set aside as a home for the Red Man in exchange for his native land. It was a reserve rich in fertility and mineral resources. The disposition of Indian lands, the distribution funds, and the extension privileges in coal and oil in Indian reserves have ever been sought and cherished as 'opportunities' by the Interests which have 'stood in.' As spokesman for the territory before it became a State, and as a member

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[33] *Shawnee Herald*, May 29, 1908.
[34] *Ibid.*
[35] *LaFollette's Weekly Magazine*. June 18, 1910.
[36] *Ibid.*

> of Congress since, BIRD MCGUIRE has taken a conspicuous part in the behalf of the various System schemes to promote the game of getting the Indians' patrimony into the hands of those who would use it to 'develop the country.' MCGUIRE has served the System and in turn the System supports MCGUIRE.

The progressive magazine continued by characterizing McGuire as schizophrenic due to the fact that he posed as "a champion of reform, a devotee of the Roosevelt policies," but "in spite of his campaign professions, a careful study of the record fails to disclose a single issue upon which McGuire failed to line up with the reactionaries for special interests against public interests."[37]

Two years later, McGuire was again spotlighted in the LaFollette publication. This time he received attention in an article entitled "A 'Progressive' at Home; A Standpatter in Congress." The article included a photograph of McGuire with the caption under it reading "a political Dr. Jekyll and Mr. Hyde who professes to be progressive at home but is a stand-patter in Washington."[38] The periodical declared that McGuire "lost no time after reaching the Capitol to roll up his sleeves in the service of special privilege."[39] McGuire's contribution to legislation, asserted LaFollette, consisted mainly in the introduction of endless pension bills. Furthermore, he contributed nothing to the debates upon important measures of statecraft.[40] The magazine summarized his career as territorial delegate by picturing McGuire as the "representative in Congress for the System, and was the representative of the same System in the state of Oklahoma."[41]

Flynn, during his tenure in Congress, reacted negatively on most progressive issues, but he did take a positive stand on two local issues that were of concern to Progressives—statehood for territories and regulation of working conditions for miners in the territories. Flynn was noted for his lack of statements supporting the early reform efforts of President Roosevelt and the schism that apparently developed between the two. Even though progressivism had not fully developed at the national level, there were important reform issues to which Flynn might have addressed himself. He also did not endorse Roosevelt's early attempts at trust regulation—the Northern Securities Case. Flynn made no supporting statements for such legislative proposals as: the Elkins Act of 1903, aimed at eliminating the

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37 *Ibid.*
38 *Ibid.*, October 12, 1912.
39 *Ibid.*
40 *Ibid.*
41 *Ibid.*

rebate evil; the Newlands Reclamation Act of 1902, a step toward conservation reform; or the act of 1903 establishing the Department of Commerce and Labor which was to include a Bureau of Corporations empowered to investigate and report upon the operations of corporations engaged in interstate commerce.

Flynn was recognized as having close ties to the Republican "Old Guard," the conservative wing of the party which frowned upon reform. He associated with such "Old Guard" members as "Czar" Reed and Cannon, both of whom later became symbols of anti-progressivism. Flynn took no active role in Congressional debate unless the issues debated affected Oklahoma, and envisioned the good of the nation as less pressing than the good of his immediate area.

Likewise McGuire paid verbal tribute through Republican newspapers in Oklahoma Territory to many of the progressive reforms enacted in the Fifty-eighth and Fifty-ninth congresses; however, he was not vitally concerned about these reforms. Not once did he speak in Congress on their behalf. Yet, he could have debated for such progressive legislation as the Pure Food and Drug Act, Meat Inspection Act, Hepburn Act and Employer's Liability Act, all passed in 1906.

Flynn, as well as McGuire, represented the "old Guard" and "stand-pat" conservative wing of the Republican party, and throughout their congressional career they both took limited stands on important progressive issues. Thus Oklahoma Territory was represented by delegates who could not be considered Progressive, at a time when many citizens of the area supported the new political ideology.

GEORGIA'S LAND LOTTERY OF 1832

*By Douglas C. Wilms**

The Cherokee Nation had made considerable growth in its social, economic and political affairs during the early decades of the nineteenth century. Agriculture was well developed at this time and the Cherokees were producing a variety of crops, tending orchards and caring for large herds of horses, cattle and hogs. By 1827 tribal forms of government had been eliminated and a written constitution and code of laws had been adopted.[1] Growing political consolidation and nationalism, coupled with increasing evidence of Cherokee "civilization," provoked surrounding states, whose citizens were desirous of Indian lands, to press for Cherokee expulsion. Georgia officials were the moving force in this removal attempt; however, they realized that the Cherokees would not move voluntarily and were determined to resist removal more vigorously than any other Indian group.

Georgia's claim to Cherokee lands dated from 1802. At that time Georgia had ceded its lands west if the Chattahoochee River to the United States government in exchange for a promise that the Indians in Georgia would be removed as soon as it could be accomplished peaceably.[2] During the 1820s and 1830s the Federal government was faced increasingly with the dilemma of protecting the Indians on the one hand and keeping its promise to Georgia on the other. The situation was complicated further by the discovery of gold in parts of Cherokee, Georgia.[3] By 1829 a gold rush was on and large numbers of lawless whites were pouring into the Cherokee Nation. United States troops were sent into the area to establish law and order but were withdrawn by President Andrew Jackson when he learned that on December 20, 1828, the Cherokees had become subject to the laws of Georgia.[4] Jackson was known to favor Indian removal, which encouraged Georgia to take further action. Accordingly, the state legislature passed a law on December 22, 1830, that created a "Georgia Guard" to police the

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[1] James Mooney, "Myths of the Cherokees," *Nineteenth Annual Report of the Bureau of American Ethnology, 1897–1898*, Pt. I (Washington: Government Printing Office, 1900), pp. 106–107, 112.

[2] Some of Georgia's lands west of the Chattahoochee River had been parts of the famous Yazoo land frauds. Eventually Alabama and Mississippi were formed from this territory.

[3] Cherokee, Georgia, is that part of Georgia occupied by the Cherokees in the 1830s.

[4] Henry T. Malone, *Cherokees of the Old South* (Athens: University of Georgia Press, 1956), p. 173.

Indian land cessions and lotteries inside Georgia from 1803 to 1832

Cherokee country; the same law forbade Indian officials from holding court and Cherokee governing bodies to meet, except for the purpose of ceding land to the state. White residents were forbidden to live in Cherokee, Georgia, unless they took an oath agreeing to uphold the laws of Georgia.[5]

On May 28, 1830, the United States Congress passed the hotly-debated Indian Removal Bill. It stipulated that there was to be an exchange of lands, and that all Indians were to be moved west of the Mississippi River. Al-

[5] The prohibition of white residents was designed to remove those missionaries who believed Georgia was acting illegally in extending its laws to cover the Cherokee Nation. Many Georgians considered this group responsible for Cherokee intransigence.

though the Cherokees continued to resist removal, the situation appeared hopeless in the face of determined Georgia officials and an apathetic Federal government. Finally, in 1831, Georgia ordered the Cherokee lands to be surveyed in preparation for the land lottery that took place in 1832.[6]

Beginning in 1805, Georgia had instituted a novel land distribution system to replace the old headright method which had persisted throughout the Colonial period. Newly acquired Indian lands were generally incorporated into several large counties, then surveyed into districts and further subdivided into lots of varying sizes. After a lottery had been authorized by the state legislature, Georgia citizens could register, if they met certain minimal requirements. Each citizen was entitled to one chance, unless he belonged to a favored group—orphans, Revolutionary War veterans, head of a family and the like—in which case he was given two chances. The names of registered individuals and lot numbers were sent to the state capitol in Milledgeville, and placed in two separate wheels or drums.[7] A lottery was held and the names and lot numbers were drawn by commissioners appointed by the governor, and the fortunate drawer could take title to his lot by paying a small grant fee. If he chose not to take out a grant, the lot reverted to the state. There were no residence requirements for lots drawn and the fortunate drawer had the option of selling his lot if he wished.[8] Later the large original counties were usually divided into a number if smaller ones as lots were occupied and as population increased.

During the period from 1805 to 1832, Georgia held a total of six land lotteries. The dates of land distribution usually followed Indian land cessions and ceded land tended to occur between principal streams. The westward migration of the whites in Georgia was from the Oconee River to Ocmulgee River, from the Ocmulgee River to the Flint River and from the Flint River to the Chattahoochee River. Finally, the last movement to take place in Georgia was across the upper Chattahooche River and northwest into Cherokee, Georgia.

Cherokee, Georgia, was straddled by three physiographic provinces—the Ridge and Valley, the Blue Ridge and the Piedmont. Generally, the western and northwestern part of Cherokee, Georgia, was in the southern extension of the Ridge and Valley province while the northeastern section was in the mountainous Blue Ridge. The Piedmont province extended along the

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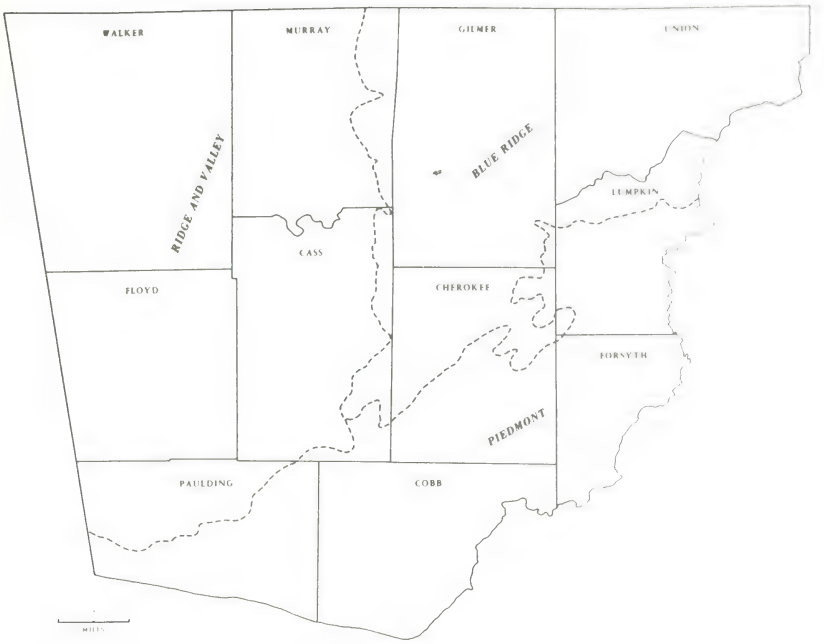
[6] State of Georgia, *Acts of the General Assembly of the State of Georgia. 1830*. pp. 127–143.

[7] If there were more registrants than available lots, blank tickets were placed in the "lot drum" so lot tickets equaled the number of registrants. Thus, some people drew blank tickets.

[8] *Georgia Surveyor-General Department* (An informational pamphlet prepared by the Georgia Surveyor General Department, Atlanta, Georgia), pp. 12–15.



Cherokee, Georgia showing the three physiographic provinces of the region.

southern part of the area, crescent-shaped, from its broadest extent in the east to its narrowest limit in the extreme southwest. Most of the principal streams flowed in a west, south or southwest direction. Exceptions to this pattern were found in the northwest and northeast where northward flowing streams were a part of the Tennessee River basin.

In 1831, Georgia's surveyors entered the Cherokee territory pursuant to the legislative act passed the previous year. Cherokee, Georgia, covered 6,800 square miles in area and was divided by the surveyors into four sections, the dividing lines of each running north to south. Each section in turn was subdivided into a number of districts each of which was nine square miles—"as near as practicable."[9] A total of ninety-three districts were surveyed in Cherokee, Georgia, and each section and district was assigned a number. The districts, in turn, were divided into either 160-acre land lots or 40-acre gold lots. In all, there were sixty land districts and thirty-three gold districts. Occasionally, a boundary or large stream prevented the laying-off of a complete 160 or 40 acre lot. These abbreviated lots were known as fractions or fractional lots.

[9] State of Georgia, *Acts of the General Assembly of the State of Georgia, 1830*, p. 128.

Twelve surveyors were appointed by the legislature of Georgia to establish section and district lines. Those individuals selected for surveying the lot lines of each district were elected to their position in their county of residence, while the district they were assigned to survey was determined by the Georgia Surveyor-General according to chance. Each surveyor had to post a $10,000 bond and take an oath that he would faithfully carry out his duties. Instructions to them were explicit and included the marking of surveyed lines on trees and posts, noting of all streams and their names, an estimate of the quality of the land in each lot and the recording of all Indian improvements.[10]

Each surveyor was to keep a field notebook and record all corner and station trees as well as those water courses crossed in running lot lines. For this task district surveyors, who marked lot lines, were paid $2.50 for each mile surveyed while $3.50 per mile was paid to those who surveyed section and district lines. Upon completing his work, the district surveyor was required to certify and sign each page of his field notebook and to deposit it with the Georgia Surveyor-General. Surveyors also had to draw a map of their district showing water courses and also lots, each of which was to be correctly numbered.[11] Most of the original district maps are thirty inches by thirty inches in size, at a scale of one inch per one-half chain or thirty-three feet.[12] In 1838, James F. Smith printed a list of the fortunate drawers and the lots they acquired in the 1832 land lottery. He also published the original land district maps at a smaller scale of one inch to two miles.[13] An example of Smith's work was the map of the Sixth District in the First Section, which depicts the location and number of each 160 acre lot in addition to the main water courses and mountain ranges. Obviously certain lots were more desirable than others; for example, Lot 149 was completely mountainous.

Finally, the surveyors had to construct plat maps representative of each lot. These plats were two inches square and showed the streams, quality of land and extent of Indian improvements found on each lot.[14] A sample plat, representing Lot Thirty-seven of the Sixth District, First Section, shows Nuntootly Creek surrounded by oak and hickory land. Along the southern boundary is a three-acre Indian improvement.[15]

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[10] *Ibid.*, p. 129.

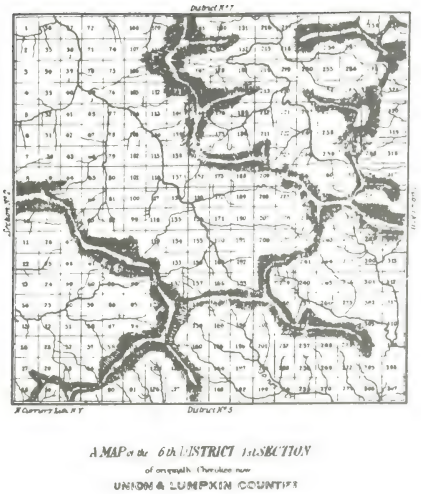
[11] *Ibid.*, pp. 129–130.

[12] These well-preserved district maps are housed in the Surveyor General Department, Archives and Records Building, Atlanta, Georgia.

[13] James F. Smith, *The Cherokee Land Lottery* (New York: Harper and Brothers, 1838).

[14] State of Georgia, *Acts of the General Assembly of the State of Georgia, 1830* (Milledgeville: Camak and Ragland Printers, 1831), p. 130.

[15] The field notebooks, district maps and plat books are stored in the Georgia Surveyor General



Survey map of the Sixth District, First Section of Cherokee Nation, Georgia

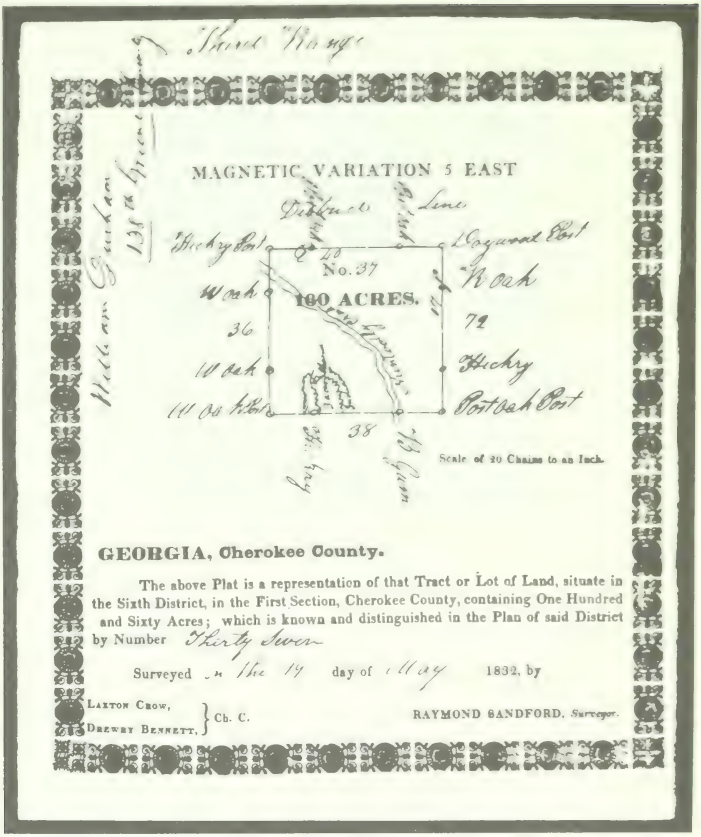
Georgians anxiously awaited the state's 1832 lottery but delays on the part of surveyors, plus charges of fraud caused the drawing to be postponed until the end of the year.[16] The lottery was finally held in October, 1832, and the interest generated by the prospect of free land and possibly gold was shown by the number of people who registered. For the land lottery there were 85,000 names registered for 18,309 lots to be awarded. This meant there were nearly four and one-half blank tickets for each available lot. In the gold lottery there were 133,000 names for 35,000 prizes, or 4 blank tickets for each draw.[17]

The legislative act that authorized the survey and disposition of Cherokee, Georgia, forbade the fortunate drawer from occupying his land if Cherokees were currently living there. Grants to such lands were not to be issued to fortunate drawers until the Cherokees abandoned the site. The winner of a lot was required to wait until the Indian occupants emigrated, and was forbidden from using threats or violence to force them to leave. Persons

Department and constitute the principal sources of information for this work. Each field notebook, 93 district maps and more than 55,000 plats were examined for evidence pertaining to Cherokee improvements.

[16] *Cherokee Phoenix* (New Echota), January 5, 1833.

[17] *Cherokee Phoenix*, November 11, 1832.



A survey plat depicting an Indian improvement in Cherokee Nation, Georgia

guilty of using such measures were to forfeit their right to a grant.[18] However, an examination of land plats by a well-intentioned winner would not necessarily have indicated that Indians were actually living on his newly won lot. In other words, many fortunate drawers would have had to travel to the site of their lots before knowing if there were Indian residents. An editorial in the December 8, 1832, issue of the *Cherokee Phoenix* noted that Georgians had begun to arrive in Cherokee, Georgia, to find their property. Such a state of affairs inevitably created many tension-filled incidents.

Improved lots indentified from the survey records were plotted on a base map at the scale of 1:250,000. The largest concentrations of improved

[18] State of Georgia, *Acts of the General Assembly of the State of Georgia, 1830*, pp. 141–142.

land were situated in the fertile lowlands of the Ridge and Valley and Piedmont provinces.[19] Several explanations may account for the over-all significance of these two areas. Their relative locations made them such important crossroads that neighboring states and the Federal government sought to build roads through them. Moreover, the linear topography and broad lowlands, especially of the Ridge and Valley province, encouraged road construction. The opening of new thoroughfares in Cherokee, Georgia, probably made the Ridge and Valley and Piedmont provinces much more accessible and this encouraged those Cherokees interested in agriculture to settle the areas and farm the alluvial lowlands.

Apart from the Federal Road, most highways in the northern part of the Ridge and Valley province were constructed in the valleys and ran in a northeast to southwest direction. Also, the principal streams of the area—the Connasauga River, Coosawattee River and Oostanaula River—flowed toward the southwest. The linear pattern of road and stream may have facilitated in part, the southwestern migration of the Cherokee people.

Most improved land in the Piedmont area occurred either in the east along the Chattahooche River or in the west along the Etowah River. Both streams were crossed by the Federal Road and the important Federal-Alabama Road intersection was located in the western part of the Piedmont. Only a smattering of improved land was found to have occurred throughout the mountain province.[20]

Regardless of physiographic province, there was a preference on the part of the Cherokees to improve land along the principal streams. In nearly all cases, improved lots either bordered a stream or were within a short distance of one. Sometimes lots locations were removed from water courses but in those instances there was a preference for roadways. Sizable population concentrations were located along natural boundaries, especially at those points where streams flowed from one province to another and where streams closely paralleled a physiographic boundary. There was an obvious preference on the part of many Cherokees to locate their homesteads in the Ridge and Valley and Piedmont where the geographic boundary of these provinces bordered the Blue-Ridge—the traditional home of the Cherokees. These locations were undoubtedly viewed as favorable sites for they gave Cherokee residents access to differing resources available within

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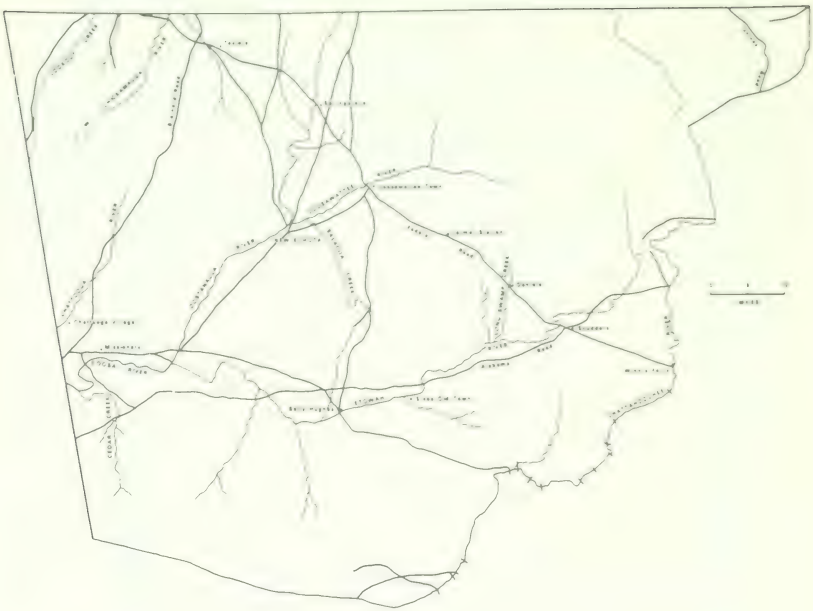
[19] The term "improvement" was probably used in its broadest context by the surveyors. No doubt it included all of the contiguous land that appeared to be a part of a functional homestead.

[20] It may be assumed that when no improvement of any kind was recorded, either the surveyor did not adequately perform his task, existing improvements were some distance from all lot lines or that Indians did not live in that district. The last two alternatives appear unlikely.



Cherokee, Georgia road system in 1831

each physiographic province, particularly better farm land in the Piedmont and Ridge and Valley areas and a greater variety of wood, fruits, nuts, fish and game in the Blue Ridge. Moreover, as the diminished supply of furs altered the resource conditions of the mountains, it is probable that those Cherokees who had become familiar with European agricultural practices sought out the nearest adjacent areas where they could practice intensive methods of farming. The locations of Cherokee improvements, as gleaned from the 1831 surveys, show that access to water, roads and fertile land were of considerable importance to a people adopting an agrarian economy of the American model. A number of the rivers in the Piedmont and Ridge and Valley provinces were large navigable streams with flood plains often extending more than a mile in width. Cherokee predilections for stream valleys were probably reinforced in these areas simply because much more alluvial land was available. Those Cherokees interested in agriculture undoubtedly chose to locate in those desirable but unoccupied riverine areas that were more readily available and accessible. Having exchanged the gun for the plow, most nineteenth century Cherokees had become committed to a way of life that precluded their return to the mountains.

HENRY ELIJAH ALVORD, 1844–1904: SOLDIER, SCIENTIST AND SCHOLAR

*By Philip Reed Rulon and Ronald Eugene Butchart**

Ellwood Patterson Cubberley, in his monumental book entitled *The History of Education*, the first complete survey of the development of education in the western world, asserts that thirteenth century universities evolved into viable institutions because they imitated the new movement toward association. These young European organizations formed guilds, composed of masters and scholars, for "further protection from extortion and oppression and for greater freedom from regulation by the Church." In much the same way, and for some of the same reasons, late nineeenth century spokesmen for vocational and scientific education in the United States banded together to break the stranglehold of classical and denominational colleges on the nation's system of higher education. In no instance is this generalization more true than in the second phase of the land-grant college movement. Gould Colman has stated that increased communication among the Morrill institutions themselves, through societies such as the Association of American Agricultural Colleges and Experiment Stations, and the creation of specialized governmental agencies, especially the sub-divisions of the Interior and Agriculture departments, marked the end of the struggle for survival and opened the doors of the state universities for instruction in the industries of life.[1]

Colman's statement implies that educational historians, in their search for the factors which brought agricultural and mechanical colleges out of the wilderness, should decrease the attention usually devoted to Jonathan Baldwin Turner and Justin Smith Morrill, the two figures most often credited as being the intellectual and legislative architects of the land-grant idea. Instead, investigation now should be centered upon those persons who created or reconstituted the professional organizations and government bureaus that enabled the "godless" colleges of science to gain public acceptance and to achieve widespread academic respectability. Henry Elijah Alvord was one of the leaders of those who founded many of the private

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[1] Ellwood P. Cubberley, *The History of Education* (Cambridge: Houghton, 1920), p. 217; Edward D. Eddy, *Colleges for Our Land and Time* (New York: Harper, 1956), p. 60; Gould P. Colman, "Pioneering in Agricultural Education: Cornell University, 1867–1890," *Agricultural History*, Vol. XXXVI, No. 4 (October, 1962), pp. 200–206.

and public agencies which shaped the twentieth century state university system in the United States.[2]

"Soldier, Farmer, Teacher," the epitaph Alvord selected for his tombstone before his death in St. Louis, Missouri in 1904, revealed that he had several careers. In each, he achieved extensive recognition as a leader. Though as a teacher Alvord gained his greatest fame, the military period of his life must also be examined, because the American army significantly spurred the advancement of science in the middle and late nineteenth century, and it was within this organization, as Liberty Hyde Bailey once wrote, that Alvord developed those ideas and personal characteristics which endowed him "with rare ability as an executive." Besides Bailey, Alfred True, the director of the United States Office of Experiment Stations, and James Clinton Neal, of the Smithsonian Institute, concurred in the judgment that their stocky, resonant-voiced colleague commanded more than usual attention. Neal, in 1895, went so far as to write to a legislator in Oklahoma Territory that there were few men Alvord's equal "as a College President, and none in the United States his superior."[3]

Alvord, the oldest of Daniel Wells Alvord's eight children, was born at Greenfield, Massachusetts on March 11, 1844. His father, in the best tradition of the descendants of Alexander Alvord of Windsor, Connecticut, and Northampton, Massachusetts, took his preparatory training at Phillips Academy, graduated from Union College in 1838 and then studied at the Cambridge School of Law. He subsequently practiced in and around Greenfield, represented the town of Montague, in the Massachusetts Constitutional Convention of 1853 and the next year became a state senator from Franklin County, Massachusetts. In 1856, the elder Alvord accepted an appointment as the district attorney for the Northwest Judicial District, but resigned after a half decade to become a regional collector for the Internal Revenue Service. Daniel Alvord's second wife, Caroline Betts Dewey, also descended from a prominent line. She was a granddaughter of Brigadier Gen-

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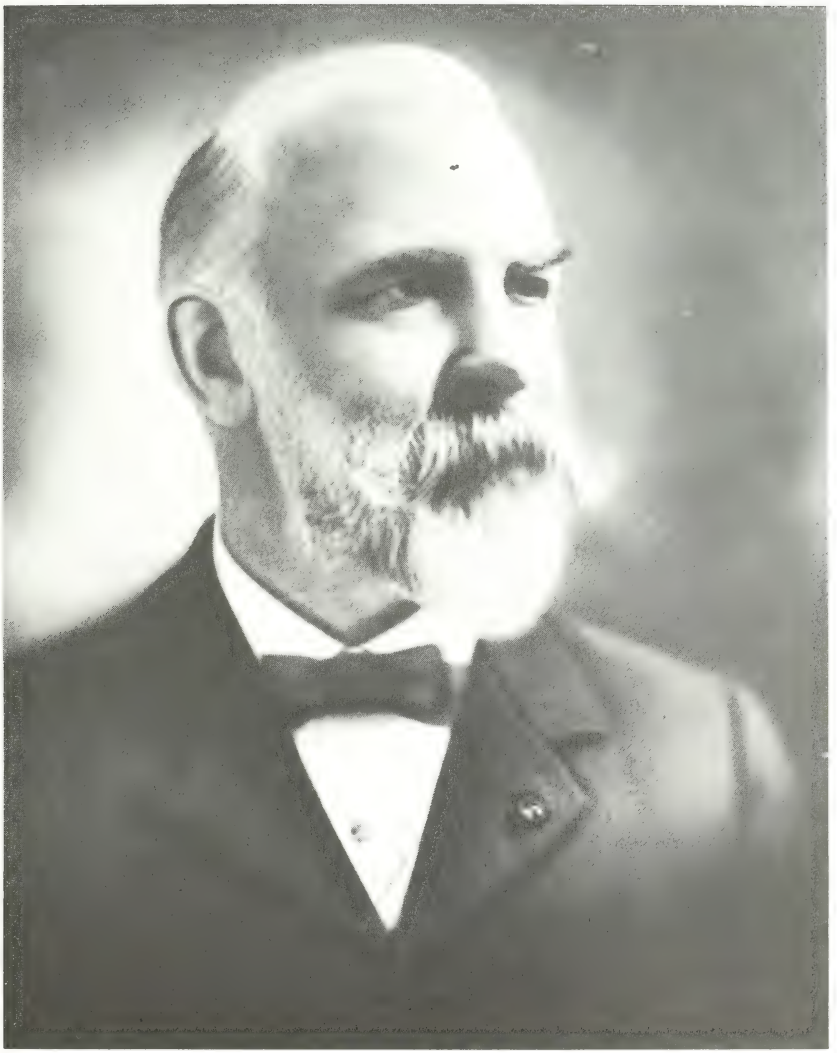
[2] William B. Parker's and Mary Turner Carriel's roles in the formation of the agricultural and mechanical college idea is discussed in Earle Dudley Ross, "The 'Father' of the Land-Grant College," *Agricultural History*, Vol. XII, No. 2 (April, 1938), pp. 151–186; other college presidents, such as Andrew White, Daniel Coit Gilman and Francis Amasa Walker, significantly contributed to shaping the twentieth century university. But they are ranked below Alvord insofar as this study is concerned because they were less active in agriculture and the mechanic arts and in forming the individual colleges into a system.

[3] Liberty Hyde Bailey, *Cyclopedia of American Agriculture*, (57 vols., New York: Macmillan and Company, 1912) Vol. IV, p. 551; Alfred True, "Henry Elijah Alvord," in Allen Johnson, ed., *Dictionary of American Biography* (20 vols., New York: C. Scribner's Sons, 1928), Vol. I, p. 238; James Neal to Robert Lowry, January 16, 1895, Cunningham Collection, Archives, Oklahoma State University, Stillwater, Oklahoma.



Henry Elijah Alvord—Soldier, Scientist and Scholar.

eral James Clinton and a niece of DeWitt Clinton. Her son, Clarence Walworth Alvord, achieved eminence in the historical profession for his role in founding the Mississippi Valley Historical Association.[4]

In the decade prior to the outbreak of the Civil War, Greenfield was highly active politically, making it an exciting place for a boy to mature. The village had a tradition of respecting law and order and took much pride in the fact that some of its governmental institutions dated back to the "Great Concord Fight." Yet, conservatism was not the rule. The town possessed a Young America Fremont Club as well as a Know-Nothing Lodge. Also, city fathers sponsored various cattle shows and sent the profits to the anti-slavery forces in Kansas Territory. The heated presidential campaign of 1860 heightened partisan emotions, and after shooting erupted at Fort Sumter, South Carolina, the ladies of the community met nightly in the Mansion House to outfit their sons who rushed to enlist in the Union Army. Henry Alvord, who seemed destined to become a professional man, as had so many of his family before him, was drawn into the maelstrom of his age. In 1860, he enrolled in Norwich University, a military-scientific-literary institution founded by an eccentric ex-West Point Commandant named Alden Partridge. Thus, unlike his father and half-brother Clarence, Henry elected not to pursue a classical education.[5]

While Alvord must have acquired a sense of social responsibility at home, leadership qualities first manifested themselves during this period as a university student. He quickly embraced the utilitarian education ideas of Partridge: Schools must give practical instruction in agriculture, engineering and military science instead of focusing exclusively on the classics. Henry matriculated in the civil engineering program, where he gave special attention to those branches particularly suited to agriculture. During the next three years, he became one of the most active cadets at the college, and was elected secretary of an honor society, the chess club and his freshman class. In addition he served on the publications board of *The University Quarterly*, edited *The Reveille* and acted as adjutant for the campus military organization. The Civil War, however, interrupted this promising under-

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[4] Samuel Morgan Alvord, *Genealogy of the Descendants of Alexander Alvord* (Webster, New York: A. D. Andrews Printer, 1908), pp. 365, 570; Clarence Alvord followed in his brother's footsteps both as an author and an organizer of professional associations. For summaries of his career, see J. S. Buck, "Clarence Walworth Alvord," in Johnson, ed., *Dictionary of American Biography*, Vol. I, p. 236; Frederick L. Paxton, "Clarence Walworth Alvord," *Mississippi Valley Historical Review*, Vol. XV, No. 2 (June, 1938), pp. 153–154.

[5] Henry Alvord, "Old Home Observance," Speech given at Greenfield, Massachusetts, July 31, 1902.

graduate career, and it would be in the military where progressive educational ideas and sophisticated leadership skills would mature.[6]

Cadet Alvord, after explaining his views on the war to his father by letter, returned home to Greenfield to enlist in the Massachusetts Tenth Cavalry, but officials rejected his request because he had not reached his eighteenth birthday.[7] Late in the 1861–1862 academic year, however, the governor of Rhode Island invited the students of Dartmouth College and Norwich University to form a company under the auspices of his state. Alvord enlisted for a ninety-day tour with the "College Cavaliers." He was elected as sergeant-major of Company "B" and accompanied his men as they marched to Washington, D.C., and Harper's Ferry and Winchester, Virginia. When the tour of duty ended, the young soldier again attempted to re-enlist. Alvord, now having reached the required age, was commissioned as a lieutenant in the Second Massachusetts Cavalry on November 21, 1862, and he served as an adjutant under Brigadier General Philip Sheridan in the Peninsular Campaigns. Initially, the war seemed glamorous, but he changed his mind about the conflict by the time Ulysses S. Grant and Robert E. Lee met at Appomattox, Virginia, to form a truce. He told residents of his hometown that he had learned the lesson taught by William Cullen Bryant in his "Ode for an Agricultural Celebration." He said:[8]

> The Glory earned in deadly fray,
> Shall fade, decay and perish.
> Honor waits, o'er all the Earth,
> Through endless generations,
> The art that calls her harvest forth,
> And feeds the expectant nations.

Alvord received a Bachelor of Science degree from Norwich University in 1863.[9] This diploma proved extremely important, because it permitted the officer to be placed more or less on a par with the graduates of West Point Academy. In continuing, however, to wear his uniform after the war, Alvord decided not to align himself with those military men who still

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[6] Stephen Ambrose, *Duty, Honor, and Country* (Baltimore: Johns Hopkins University Press, 1966), pp. 38–61; Richard E. Dupuy, *Men of West Point* (New York: Fredrick A. Stokie Company, 1951), p. 44.

[7] Caroline Sherman, "A New England Boy in the Civil War," *The New England Quarterly*, Vol. XXXII, No. 2 (April, 1932), p. 313.

[8] Alvord, "Old Home Observances," p. 21.

[9] Alvord received his C.E. in 1870, and M.A. in 1875 and an honorary L.L.D. in 1890. He remained in close touch with his *alma mater* throughout his life. Money, books and other materials were donated to the institution in his will. He also served as a trustee from 1870 to 1888.

craved action and adventure. Conversely, he became a junior member of an elite cadre who were committed to using the army as an agency for broadening the nation's democratic base. He followed in the footsteps of Oliver Otis Howard and Richard Henry Pratt—two men recognized for their efforts in founding educational institutions for minority groups. With them, Alvord believed that vocational and professional training could bring the Negro and Indian into the mainstream of American society. He differed only in the respect that he thought such instruction should be steeped in science.[10]

Shortly after Abraham Lincoln's death, Secretary of War Edward Stanton appointed Howard to head the Bureau of Refugees, Freedmen and Abandoned Lands. He opened his heaquarters in Washington on May 15, 1865. The executive envisioned a short life for the Freedmen's Bureau as he believed the South itself should dispense the fabeld "forty acres, a mule, and a speller." Meanwhile, Howard selected sympathetic military personnel, such as Henry Alvord, to see that the work delegated to his agency was carried out. Alvord probably worked under the Reverend John Watson Alvord, a distant cousin and the Superintendent of Education for the Freedmen Bureau. Radical Republicans and philanthropic societies had pushed for the creation of this organization because it was believed that education could elevate the status of the American Negro. However, the dream of eliminating oppression and inequality was premature. Having had little success in South Carolina, Alvord was transferred to Virginia, where the educational experiment seemed more viable. There he purchased an estate named Spring Hill and used it to teach agriculture and dairying to Blacks. Also, he married Martha Swink. She later accompanied her husband westward after he received his regular army commission in 1866, earning a reputation for herself as a gracious and charming service wife.[11]

Stationed west of the Mississippi River, First Lieutenant Alvord assumed duty posts in and around Fort Leavenworth and Fort Riley in Kansas, and was chief engineer for Major General Phillip H. Sheridan's field headquarters. As Indian unrest increased in Texas and Indian Territory, he became Assistant Inspector-General under Winfield Scott Hancock, and

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[10] Howard established Howard University in Washington and Pratt founded the Carlisle Indian Barracks in Pennsylvania. Details are available in John Carpenter, *Sword and Olive Branch* (Pittsburgh: University of Pittsburgh Press, 1964) and Richard Henry Pratt, *Battlefield and Classroom* (New Haven: Yale University Press, 1964).

[11] Service and Pension Files of Henry E. Alvord, United States War Department, National Archives, Washington, D.C.; Henry Bullock, *A History of Negro Education in the South* (New York: Praeger Press, 1970), pp. 27–29; Caroline Sherman, "A Young Army Officer's Experience in Indian Territory," *The Chronicles of Oklahoma*, Vol. XIII, No. 2 (June, 1955), pp. 146–153.

placed under the immediate supervision of William B. Hazen, who had been designated as a Special Indian Agent following the Medicine Lodge Peace Council held in October, 1867. Hazen requested that Alvord be sent to Fort Cobb, Indian Territory, in advance of his arrival so that he could inform the hostiles of the pacific character of his mission and warn them of the inevitable results of their actions. All peaceful Indians were urged to come to Fort Cobb, where food would be provided and peace and safety insured.[12]

Hazen, one of the army elite who resisted the Sheridan concept of Indian extermination, believed that in order for his project to be successful he would need civilian support. He requested Peter Cooper, one of the leaders of the United States Commission on Indian Affairs located in New York City, to urge President Ulysses S. Grant to appoint Quakers as Indian agents, for he hoped that members of this faith would distribute federal subsidies with integrity. Cooper went beyond Hazen's recommendations, eventually persuading Grant to create an official Indian Bureau. Alvord, as a result of his association with Hazen and Cooper, developed a life-long interest in the American Indian. He collected ethnological data, learned a Comanche dialect and pushed for the establishment of reservations so that the Indians could be educated. He was somewhat ahead of the Quakers in that he believed western tribes should be taught to raise cattle instead of grow corn, because unlike the nations moved to Indian Territory from the East, the plains people were nomadic. Interest in Indian education continued throughout Alvord's life, and later, he was instrumental in the founding of Carlisle Indian Barracks.[13]

In Indian Territory, Alvord worked with those Indians who were natives of the western region. Called the "White Horse Captain," the investigator handled complaints levied against the Five Civilized Tribes—the Cherokee, Creek, Seminole, Choctaw and Chickasaw—and the new white settlers who were thought to be encroaching on Indian reservations. Although diligent and conscientious, Alvord was not able to end Indian raiding, and in December, 1869, Lieutenant Colonel George Custer was ordered into the Upper

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[12] C. Ross Hume, "Historical Sites Around Anadarko," *Ibid.*, Vol. XVI, No. 4 (December, 1938), pp. 410–424; Muriel Wright, "A History of Fort Cobb," *Ibid.*, Vol. XXXIV, No. 1 (Spring, 1966), pp. 53–71; Aubrey Steele, "The Beginnings of Quaker Administration of Indian Affairs in Oklahoma," *Ibid.*, Vol. VII, No. 4 (December, 1939), pp. 364–392.

[13] Flora Warren Seymour, *Indian Agents of the Old Frontier* (New York: Appleton-Century Company, 1911), pp. 83–84; United States Department of Interior, *Report of the Commissioner of Indian Affairs for 1869* (Washington: Government Printing Office, 1869), pp. 39–42; United States Department of Interior, *Report of the Commissioner of Indian Affairs for 1880* (Washington: Government Printing Office, 1880), pp. 178–181.

Washita region to end the Indian outrages. His pacification efforts began by destroying the village of Black Kettle and attacking the Kiowas and Comanches who had resolved to aid the Cheyennes. Colonel Hazen did not approve of this action and sent advance word of Custer's intentions, inviting those Indians who did not want to fight to take refuge at Fort Cobb. Subsequently, a bitter dispute arose between the two commanders and the army brought Hazen to trial. He based his defense on the inspection reports of his assistant saying as "I will have occasion to refer to this officer's reports again, I will say here that he evinced peculiar fitness for his duties, and his collection of facts, his principal duty, was always found to be accurate." This testimony proved invaluable to Hazen, but it hurt Alvord's career, as it was not popular in the West to oppose Indian extermination.[14]

Custer's attack on the Indians left an indelible imprint on Alvord's mind and he decided to return to the East. In September, he arrived on the campus of the Massachusetts Agricultural College at Amherst, Massachusetts, where he had been assigned as the first regular military officer detailed under the reserve training provisions of the Morrill Act of 1863. Besides tending to his instructional duties, Alvord reaffirmed the interest in agriculture that he had acquired at Norwich University. He enrolled in the soil physics classes taught by Charles A. Goessman, a German who had received his Doctor of Philosophy degree in organic chemistry from the University of Göttingen in Germany. This contact with agricultural and mechanical colleges proved to be such a stimulating experience that he resigned his commission in 1871, rather than return to the West.[15]

Before permanently returning to civilian life, Alvord did agree to undertake one more extended quasi-military mission. Lawrie Tatum, a Quaker Indian Agent in Indian Territory, discovered in late 1871 and early 1872 that he could no longer manage the tribes under his jurisdiction. The situation deteriorated to the point where he had to order the arrest of Satanta and Big Tree, two prominent Kiowa chieftains. In the summer of the latter year, the United States Indian Commissioner appointed Joseph Parish, of Pennsylvania, and Alvord to head an investigation of the Caddoes, Wichitas, Kiowas, Comanches, Cheyennes and Arapahoes. Parish had to be re-

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14 Rupert Richardson, *The Comanche Barrier to South Plains Settlement* (Glendale: Arthur H. Clark Company, 1933), pp. 318–319; William B. Hazen, "Some Corrections of 'Life on the Plains,'" *The Chronicles of Oklahoma*, Vol. III, No. 4 (December, 1925), p. 304.

15 Approximately 600 Cheyenne, Arapahoe, Kiowa, Comanche and Apace sought refuge at Fort Cobb. Custer's treatment of the people is described in United States Department of Interior, *Report of the Commissioner of Indian Affairs for 1869*, pp. 41–43; Harold Whiting Carey, *The University of Massachusetts* (Amherst: University of Massachusetts Press, 1962), pp. 42–43.

placed by his professor brother, Edward, who also became incapacitated. Nonetheless, Alvord according to high Washington officials, handled the mission with energy, courage and discretion.[16]

Alvord held a conference with the members of the aforementioned tribes as well as representatives from the Apaches, Delawares, Wacoes, Keechies and Towoccaroes at Leeper's Creek in Indian Territory in September, 1872. The group reconvened at Atoka, in the Choctaw Nation, on September 26, so that tribal spokesmen could board a train for Washington to meet with President Grant. As a special gesture of friendship, the commissioner secured the temporary release of Satanta and Big Tree from a Texas prison and arranged for the chiefs to be reunited with the Kiowas in St. Louis, Missouri. Once the destination had been reached, Alvord prepared his report without delay. In his completed document, he acknowledged the assistance of Edward Parish and then proceeded to assess the status of each Indian reservation in Indian Territory before treating the situation as a whole. The breadth of the report is evident in the fact that it touched upon such diverse topics as reservation boundaries, the distribution of rations and annuities, hunting parties, civilian and military administrative reforms, the liquor trade, arms and ammunition, education, the sale of agricultural products, transportation claims, Indian adoption of white people, the employment of interpreters and the need for periodic inspections.[17] The writer concluded with a general statement in relation to his point of view. He said:[18]

> Throughout this report it will be seen that your commissioner advocates neither the inhuman idea of continued military subjugation, the indiscriminate slaughter, and extermination, nor the impracticable project of governing by moral suasion among the tribes that he visited, but that a middle ground is taken.

The American Indian badly needed a man of such temperament to represent them, but with the exception of a mission to the Montana Crow tribe in 1873, the expertise of Alvord was lost, as he was now anxious to turn his attention toward the development of a second career. On the other hand, the ten years spent in the United States Army were not wasted insofar as personal growth is concerned, for an interest in education had developed and important political contacts had been made in Washington.[19]

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[16] United States Department of Interior, *Report of the Commissioner of Indian Affairs for 1872* (Washington: Government Printing Office, 1872), pp. 96, 247–248.

[17] *Ibid.*, p. 128–148.

[18] *Ibid.*, p. 148.

[19] United States Department of Interior, *Report of the Commissioner of Indian Affairs for 1873* (Washington: Government Printing Office, 1874), pp. 113–114.

The transition from military instructor to scientific farmer took place in Virginia. The most pressing civilian venture concerned making the Spring Hill farm show a profit. Alvord and his wife, to this end, purchased one of the finest Jersey herds in the state and processed milk and cheese for distribution in the adjacent communities of Georgetown, Virginia, and Washington. The financial success of this endeavor permitted more leisure for education and research. Alvord assumed direction of the Chautauqua "School of Farming," and, according to Alfred True, probably wrote the earliest agricultural correspondence course in the nation. Also, he became active as a dairy consultant, starting the first cooperative creamery east of the Hudson River and assisting with the "establishment of many others in Maine, Vermont, and Massachusetts." In 1874, the Massachusetts Agricultural College and the Williston Seminary at Easthampton, Massachusetts, offered a joint professorship. The next six years provided the time and money for research that would bring national and international fame.[20]

The initial research project concerned publication of the extensive notes that had been taken on the cattle industry while on military duty in the Southwest. This information was incorporated into national statistical data, especially as it pertained to the exportation of the United States beef to Europe. The most noteworthy article produced during the Amherst-Easthampton professorship was entitled "The American Cattle Trade," which the *Journal of the Royal Agricultural Society* published in 1877. Besides being the most exhaustive work on the western cattle industry to date, the study discussed the quality and profit margin of domestic meat sold at home and abroad. It concluded by correctly predicting that dressed American beef would soon become available in Liverpool, England, and Glasgow, Scotland, and that the product would satisfy even the most discriminating English buyer. Though the article did underestimate the time it would take to improve frontier breeding practices, it was well ahead of its time, earning for the author a medal from the Royal Agricultural Society and an honorary membership in the French Order of *Merite Agricole*.[21]

Largely on the basis of this manuscript, J. P. Sheldon, a noted English scientist, invited Professor Alvord to write the American chapters for his projected *Dairy Farming: Being the Theory, Practice, and Methods of Dairying*. Accepting the offer, the budding scientist joined forces with some of the best agricultural talent in Europe. The methodological approach

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[20] True "Henry Elijah Alvord," in Johnson, ed., *Dictionary of American Biography*, Vol. I; Samuel Alvord, *Genealogy of the Descendents of Alexander Alvord*, pp. 571–572.

[21] Henry E. Alvord, "The American Cattle Trade," *The Journal of the Royal Agricultural Society of England*, Vol. XIII (1877), pp. 356–374.

of the ten chapters produced by Alvord was similar to that used in the prize-winning article. He surveyed the dairy industry in the United States section by section before commenting topically on breeding, the processing of foodstuffs and domestic and international sales. At a point in time when farm products made up the majority of all American exports, the chapters in *Dairy Farming* commanded notice from a wide audience.[22]

Lawson Valentine, a Massachusetts philanthropist, was one prominent individual who recognized Alvord's ability. Since 1876, when he had purchased several hundred acres in Orange County, New York, for research purposes, Valentine had been looking for a qualified person to direct the operation of the first private national agricultural research experiment station in the country. Houghton Farm, named because of friendship with a wealthy New York City publisher, in its early stages had been patterned after Sir John Lawes's "Rothamshed." Alvord's contacts in England as well as his Spring Hill research program made him a logical candidate for the post. The general managership was accepted in 1881, the same year Manley Miles agreed to serve as director of experiments and D. P. Penhallow was employed as station botanist and chemist. The center housed investigations associated with soil physics, plant growth, plant disease and animal production. From 1881 to 1884, Alvord received much national publicity for several articles and books that he published during this period. Funds, however, became scarce as a result of the depression, and by 1887 the New York operation ceased functioning.[23]

During the tenure at Houghton Farm, Alvord sought identification with the formation and reorganization of numerous professional organizations. In general, agricultural and scientific societies were being created or rejuvenated at this time for two reasons. The generation of new research created a need for outlets with which to exchange information with other investigators, and more important, agricultural education was under attack from educators who headed older and more prominent centers of higher learning. For example, President Warren Candler of Emory College, in Georgia, and later a Southern Methodist Bishop, told legislators in Georgia that collegiate instruction was a function of the chuch not the state. Other executives, such as James McCosh and Charles Elliot, even went so far as to request that federal aid be discontinued to Morrill institutions. These men believed that the land-grant endowment should be transferred to support the burgeoning

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[22] Besides J. P. Sheldon and Alvord, the other contributors included: Robert O. Pringle, William Fream, Dr. H. L. de Klenze, John Oliver and Finlay Dun.

[23] Henry E. Alvord to A. C. True, December 29, 1894, Alvord Collection, Records Office, Secretary of the Interior, Washington, D.C.

high school movement. Moreover, local appropriations in the 1860s, 1870s and 1880s had been meager, for many legislators maintained that land-grant colleges were national organizations. Thus, they were not thought to be the responsibility of individual states. Alvord realized that if public criticism remained unchallenged, and that if additional money was not secured without delay, the vocational-scientific movement in higher education might collapse. He suggested, as a partial solution, that concerned people work through professional associations to secure increased funding, to bring the state universities into a closer relationship with the Federal government, and to promote unity and strength by the adoption of common goals and practices.[24]

The Society for the Promotion of Agricultural Science was one organization which fit into the above scheme. Though not present in Rochester, New York, in 1879 when the association took shape, Alvord was elected to membership as soon as he moved to Orange County. At first, the group met without a clearly defined purpose, except that it seemed worthwhile for scholars jointly to discuss the application of modern scientific principles to agriculture. Conferences in Boston, Massachusetts; Cincinnati, Ohio; Montreal, Canada; Minneapolis, Minnesota; and Philadelphia, Pennsylvania, produced a formal governing document. Alvord, in addition to reading several papers and aiding in the constitution-making process, steered the organization into politics. Earlier, he had lost his bid for a congressional seat and now he wanted another vehicle with which to bring the cause of scientific agriculture before the country. The society recognized the leadership potential of Alvord and elected him president of the organization in 1884 and 1885.[25]

In spite of the fact that the Society for the Promotion of Agricultural Science had a national membership, the institution did not become important until it became involved in politics. The turning point in its history came when George Loring Bailey, the United States Commissioner of Agriculture, issued a call in 1882 for key members to come to Washington for a conference regarding several prospective pieces of agricultural legisla-

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[24] Allan Nevins, *The State Universities and Democracy* (Urbana: University of Illinois Press, 1962), p. 53; Ross, *Democracy's College*, pp. 173–174; Earle D. Ross, "Contributions of Land-Grant Colleges and Universities to Higher Education," William Brickman and Stanley Lehrer, eds., *A Century of Higher Education* (New York: Broadway Company, 1962), p. 94; Eddy, *Colleges for Our Land and Time*, p. 103.

[25] Colman, "Pioneering in Agricultural Education: Cornell University, 1867–1890," *Agricultural History*, Vol. XXXVI, p. 206; For the texts of Alvord's papers, see "The Churn Test for Butter Cows," *Proceedings of the Society for the Promotion of Agricultural Science*, (1885), pp. 21–34; "Telemetric Aid to Meteorological Records," *Ibid.* (1886), pp. 11–13; "Observations on the Formation of Dew," *Ibid.* (1886), pp. 12–16.

tion. Nothing of great consequence evolved, but the delegates did elect Alvord as secretary of their group.[26]

Commissioner Norman J. Colman assembled essentially the same men in 1885 to support the Cullen Bill, a measure designed to create an experiment station in each state and territory. The bill, as it had every year since 1883, failed. Nevertheless, the organization, which now had a semi-official status, resolved to return to Washington in two years for one more attempt.[27]

The membership of the executive committee in 1887 was composed of individuals who would soon become the most important leaders of the second phase of the American land-grant college movement. Besides Alvord, it consisted of C. W. Dabney, Edwin Willets, G. W. Atherton and Seaman Knapp. These men aligned themselves with William Hatch and James George, both members of Congress, and secured the passage of the Hatch Act, a measure which embodied the provisions of the defeated Cullen Bill. Not only did Alvord play an instrumental role in getting this measure adopted and funded, but he also helped to implement it over the coming years so that few pieces of educational legislation superseded this one in terms of long range importance. The bill, as amended, provided for the establishment of a United States Office of Experiment Stations, which under the leadership of True disseminated much useful agricultural data. In addition, it had much to do with changing the character of Morrill colleges in that it placed trained resident scientists on university campuses. These investigators, in turn, initiated an academic revolution by devising new courses and teaching methodologies with which to convey the results of their research to students both in and beyond their institution's walls. The adult extension courses seemed particularly significant for they linked higher education to the needs of the masses.[28]

The steering committee did not disband with the passage of the Hatch Act. It formed, instead, a permanent organization called the Association of American Agricultural Colleges and Experiment Stations. Alvord chaired the new organization's executive committee and edited the published proceedings of the society until he was elected president in 1895. In the eight

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[26] True, *A History of Agricultural Experimentation and Research in the United States, 1607–1925*, p. 120.

[27] Earle Dudley Ross, "The United States Department of Agriculture During the Commissionership: A Study in Politics, Administration, and Technology, 1867–1889," *Agricultural History*, Vol. XX, No. 2 (April, 1946), p. 143.

[28] United States Government, *Statutes at Large* (Washington: Government Printing Office, 1887), p. 440; True, *Agricultural Education in the United States, 1875–1925*, passim; Philip Rulon, "Angelo Cyrus Scott; Leader in Higher Education, Oklahoma Territory," *The Chronicles of Oklahoma*, Vol. XLVII, No. 1 (Spring, 1969), p. 496.

years he was connected with the association, Alvord labored incessantly to improve land-grant colleges. He tied the Association of American Agricultural Colleges and Experiment Stations to the Department of War and Department of Agriculture, published numerous circulars and bulletins and organized conferences which focused on common problems. When H. H. Goodell introduced Alvord for his presidential address, he paid tribute to his friend's role in forming and shaping the institution by calling him the "father" of the organization.[29]

During the 1880s, Major Alvord, as he liked to be addressed, joined dozens of professional organizations, usually in an administrative capacity. His affiliation with the American Association for the Advancement of Science was representative of his ability to direct established agencies onto a new course. This society was modeled after the British association of the same name, being promoted in the United States by a small group of military officers who called themselves the Associate Society of West Point for the Promotion of Science, Literature and the Arts. In 1882, Alvord supported E. B. Elliot in reorganizing the branch designated as the Section on Economic Science and Statistics. Five years afterwards, he became chairman of this section and pioneered still more ground. In his paper entitled "Economy in the Management of Soil" Alvord pointed the attention of the membership to the subject of social science and initiated, long before it was popularly discussed, an interest in conservation. He concluded his vice-presidential address by stating that the land "bequeathed to this generation, or opened up by its own exertions, shall hereafter be deemed, and held, as a sacred trust for the American people through all time to come, not to be diminished or impaired for the selfish employment of its immediate possessors."[30]

The period from 1880 to 1887 marks the close of the scientific farmer stage. After leaving the Houghton Farm, Alvord rejoined the faculty of the Massachusetts Agricultural College, on a temporary basis. Two offers

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[29] Gould P. Colman, *Education and Agriculture* (Ithaca: Cornell University Press, 1963), p. 96; See, Henry Alvord, *Circular Letter to the Association of American Agricultural Colleges and Experiment Stations*, January 17, 1889; Henry Alvord to W. Atwater, February 23, 1889; Henry Alvord to A. W. Harris, March 28, 1890; Henry Alvord to J. M. Rusk, March 28, 1891; and Henry Alvord to Charles Dabney, Jr., July 16, 1899, Alvord Collection, Records Office, Secretary of the Interior; *Proceedings of the Association of American Agricultural College and Experiment Stations*, (1896), p. 20.

[30] Sidney Forman, "West Point and the AAAS," *Science*, Vol. CIV, No. 3 (July, 1946), pp. 47–48; Henry Alvord, "Economy in the Management of the Soil," *Proceedings of the American Association for the Advancement of Science* (1885), p. 334. At this same meeting, Alvord presented another paper, "The Relative Values of Different Kinds of Milk and Milk Products," which later received publication in the 1888 edition of the *Proceedings of the New York Dairymen's Association*.

crossed his desk at the conclusion of the 1887 academic year and acceptance of either would have brought recognition as one of the foremost exponents of industrial education in the country. President Charles Kendall Adams of Cornell University in New York, requested that Alvord assume direction of the experiment station at Ithaca, New York, which had just been created under the auspices of the Hatch Act. This invitation was refused, but the college did succeed in enticing Liberty Hyde Bailey away from the Michigan Agricultural College. Professor Alvord did, however, agree to direct the experiment station and to become the ninth President of the University of Maryland at College Park, which was then called the Maryland Agricultural and Mechanical College.[31]

The incoming administration inaugurated a new era at College Park. Alvord was a Northerner who had served in the Union Army whereas all of his predecessors had been Southerners who had served in the Confederate Army. Also, the president, with increased revenues available, hired a secretary, rented a telephone, provided himself with an expense account and proceeded to create a college for the people. Two major obstacles stood between him and the accomplishment of his democratic objectives. The institution was deeply mired in debt, having at least sixty creditors throughout the state. In an attempt to remedy this illness, Alvord eliminated academic programs offered elsewhere in the state and lobbied for additional funds. Considerable amounts of free literature accompanied both of these moves in order to cultivate support from the general public. Also, the executive, knowing full well that some members of the board of trustees disliked his increasingly heavy concentration on agriculture, moved to justify his position by expanding college enrollment. Tuition charges were abolished and marks on entrance examination were pegged low enough so that almost anyone could gain entry into the institution. In June, 1892, the trustees, who by this time were thoroughly disenchanted with the appointee, took advantage of a faculty quarrel and asked the president to resign. The board, then, brought in Richard Silvester, who retained most of his predecessor's ideas and programs. In the long run, the "People's College" concept captured the imagination of the nation. The institution attained importance because it illustrated that "although democracy is supposed to begin at the bottom and grow upward, it can begin at the top and pull the bottom to it."[32]

[31] Bailey, *Cyclopedia of American Agriculture*, Vol. IV, p. 526; Philip Dorf, *Liberty Hyde Bailey* (Ithaca: University of New York Press, 1956), pp. 61–63; George Callcott, *A History of the University of Maryland* (Baltimore: Maryland Historical Society, 1966), p. 190.

[32] *Ibid.*; Henry Alvord, *Report to the Board of Trustees, Maryland Agricultural College, 1890*, pp. 1–10; Callcott, *A History of the University of Maryland*, pp. 191–192, 238–239; Nevins, *Illinois*, p. 66.

At least one important legislative accomplishment can be traced to Alvords tenure at the University of Maryland. Alvord recognized that much of the money hitherto allocated to agricultural and mechancial colleges had been dispensed for instruction in the classics. Therefore, when Justin Morrill proposed a supplement to the Land-Grant College Act in 1890, Alvord appointed an *ad hoc* committee of the Association of American Agricultural Colleges and Experiment Stations to support the measure. This group lobbied in Congress and urged the organizational membership to do the same. In addition, the association convinced Morrill that a limiting admendment should be added to preserve the new revenues for "instruction in agriculture, the mechanic arts, the English language and the various branches of mathematical, physical, natural and economic science, with special reference to their application in the industries of life, and to the facilities for such instruction."[33] Some researchers have attributed this provision to the National Grange and the Farmers' Alliance, but Alvord made the authorship clear when he recalled:[34]

> I have the original draft of that amendment in my possession; it was first written by one college president who cared more for object than for form; was carefully trimmed and punctuated by another college president, and cordially adopted by the others on the committee, none of these being grangers although entirely friendly to that order and its general work . . . Therefore, the plain facts are that it originated with college men and had their honest support from the first to the last.

Edward Eddy has assessed the impact of the so-called Granger Amendment and the Second Morrill Act upon the land-grant movement. "The institutions," he said, "which had struggled to survive were now ready, with this financial aid, to become permanent and progressive elements of American higher education." Credit for passage of this legislation belongs almost solely to Alvord. He composed letters, drafted circulars, mobilized public opinion, button-holed members of Congress and drove the Association of American Agricultural Colleges and Experiment Stations to the brink of bankruptcy in order to obtain the votes necessary for approval of the bill.[35]

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[33] Henry Alvord, *Circular Letter to the Association of American Agricultural Colleges and Experiment Stations*, May 19, 1890, Alvord Collection, Records Office, Secretary of the Interior; United States Government, *Statutes at Large* (Washington: Government Printing Office, 1890), p. 417.

[34] *Proceedings of the Association of American Agricultural Colleges and Experiment Stations for 1896*, pp. 24–25.

[35] Eddy, *Colleges of Our Land and Time*, pp. 103–104; Henry Alvord to A. W. Harris, March 19, 1891, Alvord Collection, Records Office, Secretary of the Interior.

In addition to being an innovative college executive, Alvord was successful experiment station director. In fact, he may have preferred the latter position, because of his great love for agricultural research. At College Park, he found time, in spite of a busy schedule, to continue his studies on the composition and digestibility of the corn plant, publishing important articles in the *State Reports* of Maine, Vermont, Ohio, Pennsylvania, Virginia and Kansas. He also edited bulletins dealing with tomatoes, potatoes, fodder, strawberries and wheat. Moreover, his correspondence through this period reveals that he "trained" many of the men who were appointed to head the national experiment station office. The executive's schedule was so full that it was no wonder he did not have time to adjudicate petty faculty jealousies at Maryland—the situation which had led to his dismissal. More than once the administrator complained to friends that he did not even have time for his family, except, perhaps, at Christmas.[36]

In 1893, Henry Alvord moved to Washington, D.C., where he was appointed as a deputy in the Department of Agriculture. The following year, J. S. Morton, the third secretary, briefed his new aide in regard to a trying situation which existed at the Agriculture and Mechanical College in Stillwater, Oklahoma Territory. Because Alvord was familiar with this section of the country, Morton asked his subordinate if he would assume the presidency of the institution and direct the activities of the experiment station. Alvord agreed, arriving on the campus in late September almost immediately after the eight faculty members and one hundred students had inaugurated the organization's fourth academic year. It is likely that the second president of the institution had no intention of staying for a prolonged period of time as it was rumored that he was in line for Morton's position himself. But unfortunately for Alvord, he was not a supporter of Grover Cleveland.[37]

In its early years, the Stillwater college, which was to become Oklahoma State University, had many problems. Robert J. Barker, the first president, was inept, ineffective and more intersted in preserving his homestead than in building a multi-purpose state university. Moreover, carpetbag territoral governors, and some of their appointments to the board of regents, refused to cooperate with the citizens of Stillwater who had sacrificed much in order

[36] Henry Alvord to A. G. True, December 29, 1894; Henry Alvord to A. W. Harris, February 2, 1892; W. A. Atwater to Henry Alvord, November 1, 1888; A. W. Harris to Henry Alvord, November 10, 1891, and *Extracts from Report of Select Committee of Maryland House of Delegates*, February 9, 1890; Henry Alvord to A. W. Harris, December 18, 1888, *Ibid.*

[37] H. E. Thompson to B. B. Chapman, June 3, 1954, Thompson Collection, Archives, Oklahoma State University, Stillwater, Oklahoma; Oklahoma Territory, *Council Journal*, 1894 (Guthrie: State Capitol Company, 1894), p. 73; J. C. Neal to Robert Lowry, January 12, 1895, Cunningham Collection, Archives, Oklahoma State University.

Oklahoma Agriculture and Mechanical College and Research Station at Stillwater, where Alvord served as president from 1893 to 1894.

to bring the college and experiment station to the area. The animosity among the trustees, the community and governmental officials was so severe that the institution for three years had been limited to doing high school work in the homes of professors, church buildings, newspaper offices and city hall because it was impossible to get funds released for the construction of a college building. Furthermore, founders feared, quite correctly, that if construction did not begin without delay, the legislature might move the institution elsewhere. Thus, Alvord arrived at a crucial point in the history of the land-grant institution.

Robert Barker left Stillwater in such a hurry that he failed to write the required annual report. His successor completed this task, and then turned his attention toward resolving some of the institution's most pressing problems. With one exception, the people associated with the college through this period thought that the right man had been obtained for the position. Professor Harry E. Thompson, who roomed with his senior colleague in the back room of a grocery store, said that he knew the executive quite well and liked him. Other members of the faculty approved of the effort to adjust teaching loads, eliminate inequities in salaries, codify the rules governing student conduct and standardize admissions requirements.

There also seemed to be tacit consent to Alvord's statement in a committee meeting that "the first duty of the faculty was to educate the board of regents, and that when they were properly educated they could run things to suit themselves." As these internal reforms got underway, Alvord attempted as he had in Maryland, to create public support for the Agriculture and Mechanical College. He, in addition to numerous speaking engagements, prepared pamphlets which explained the purpose and mission of the institution. However, instead of merely praising agriculture and appealing to farmers, as he had previously, he now compared land-grant organizations to the West Point Academy, even going to the point of requiring both male and female students to wear uniforms. Alvord, thinking that the cadet image would be more appealing than that of a plowboy or blacksmith, invited parents, boys, girls, school teachers, farmers, lawyers, doctors, merchants and politicians to forward the names of prospective applicants. Only the board of regents resisted the courtship. The trustees resented Alvord's independence and they fomented a crisis with the executive just two months after he assumed office. The most serious dispute concerned whether or not the president had to swear to the accuracy of each college and station voucher that passed his desk for signature.[38]

Alvord, probably anxious to do combat, wrote to Morton and requested that he answer five questions in regard to the expenditure of institutional funds. True responded, supporting, without question, Alvord's position. The board refused to accept this ruling as definitive, causing the administrator to draft a long essay that outlined most of the trouble spots at the college. Individuals were not accused by name, yet it was charged that corruption existed in high places throughout the state. Subsequently, this document was mailed to federal officials. Also, the envelope contained Alvord's resignation, for he maintained that he could not afford to have his name associated with practices that were illegal. Both items were made public. Politicians, the college faculty and many townspeople petitioned the executive to remain in office until such time as the Oklahoma Territorial Legislature could launch an investigation. But Alvord refused to change his mind, even after his contentions were corroborated by a board of inquiry.[39]

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[38] Henry Alvord, "Report of the President of the Oklahoma Agricultural and Mechanical College for 1894," Oklahoma Territory, *Council Journal*, 1894 (Guthrie: State Capitol Company, 1895), pp. 9–12; Harry E. Thompson, "The Territorial Presidents of the Oklahoma A. and M. College," *The Chronicles of Oklahoma*, Vol. XXXII, No. 4 (Winter, 1954–1955), p. 365; Oklahoma A. and M. College, "Minutes of the First Faculty—March 17, 1892 to June 2, 1899," Archives, Oklahoma State University, Stillwater, Oklahoma; Oklahoma Territory, *Council Journal*, 1895, p. 694.

[39] Henry Alvord to J. S. Morton, November 5, 1894, Alvord Collection, Record Office,

Meanwhile, Alvord, now near the twilight of his career, sensed that winds of change were blowing across the American scene. He finished the academic year as a professor of dairying at the New Hampshire Agricultural College, and the following September accepted a position with the United States Department of Agriculture. He became the first head of the Dairy Division of the Bureau of Animal Husbandry, and from 1895 to 1904, he joined forces with men, such as Harvey Wiley and Gifford Pinchot, in uncovering better methods of packaging foodstuffs, championing conservation and developing export markets for American agricultural products. His department obituary summarized this period by stating that the strong points of his character "were shown in his systematic and orderly business methods, attention to details, and conscientious and fearless attitude in whatever seemed to him to be right, regardless of what the general opinion of his acts would be." Moreover, the bureaucrat lectured throughout the United States and Europe as well as publishing at least twenty scholarly articles on agricultural subjects during his tenure in Washington.

In the last quarter-century of his life, Alvord continued his relationship with international, national and state organizations. He served as a member of the Jury of Awards for the International Dairy Expositions of 1879 and 1880; performed as an American vice-president, a member of the planning commission and served on the Jury of Awards for the Paris International Congress and Universal Exposition of 1900; and supervised the College Agricultural Exhibit at the Chicago Exposition of 1893. In addition, he found time to act as president and vice-president of the New York Agricultural Society, the New York Dairymen's Association, the American Jersey Cattle Club and the National Cattlemen's Association. Lesser attention was devoted to the activities of the National Geographic Society, the American Statistical Association, the Cosmos Club, the University Club of Washington, the Reform Club of New York, the Loyal Legion, the Soldier's Alliance of the Grand Army of the Republic and the Democratic State Central Committee of Massachusetts. In 1904, the energetic organization man died of acute exhaustion at the St. Louis World's Fair.[40]

Though he died just as the progressive movement was gaining mo-

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Secretary of the Interior; Alfred True to Henry Alvord, November 9, 1894, The Cunningham Collection, Archives, Oklahoma State University; Henry Alvord, *Report of the President* (Guthrie, 1895), pp. 1–24; *Eagle-Gazette* (Stillwater), January 17, 1895; *Stillwater Messenger*, January 11, 1895; Oklahoma Territory, *Council Journal* (1895), pp. 657–791.

[40] H. E. Alvord to A. C. True, February 23, 1895, Alvord Collection, Record Office, Secretary of the Interior; *Twenty-First Annual Report of the Bureau of Animal Husbandry*, p. 42; Samuel Alvord, *Genealogy of the Descendents of Alexander Alvord*, pp. 572–573; *Proceedings of the Association of American Agricultural Colleges and Experiment Stations for 1928*, pp. 27–28.

mentum, there was good reason to claim that Henry Elijah Alvord had been a forward-looking reformer for most of his adult life. As a military officer, he pointed out the need of Indians and Negroes for humane treatment and systematic schooling. As an engineering and agricultural investigator, he employed empirical science in the attempt to conserve and regulate the environment. As a college president and bureaucrat, he shaped the future state university systems and united agricultural and mechanical colleges to the Federal government, thereby bringing the power and prestige of Washington to bear in the effort to promote vocational-scientific education. Then, too, Alvord brought respectability to the presidential office of Morrill institutions at a point in time when many administrators were held in low esteem, both in grange and legislative halls. These contributions are especially noteworthy in that they extended the influence of the "People's College," a conceptual foundation which in the last seven decades has significantly increased American human and material prosperity.

FINANCIAL CONTROVERSY IN THE CHEROKEE NATION, 1839–1846

*By Gerald A. Reed**

Following the removal of the Cherokees under the 1835 Treaty of New Echota, financial controversy disrupted the Cherokee Nation for a decade. Spokesmen for the Treaty party—the Ridge-Watie-Boudinot faction responsible for removal—and Old Settlers—pre-removal western emigrants—accused Principal Chief John Ross of corruption. Ross denied the allegation and his foes failed to marshal evidence proving him anything more than improvident; however, the charges and the ensuing furor provoked a deep schism among the Cherokees.

Before becoming Principal Chief, John Ross's financial dealings had aroused Cherokee suspicions. Ross critics reminded the chief and his friends that they had taken land under an 1819 treaty, nominally settled and then sold it. Ross himself received $5,000 for his land; then he and his friends "in violation of their solemn engagements: moved into the Cherokee reservation."[1] Here they occupied the most fertile land, took "the best ferries and stands for public business," and profited sufficiently to gain "power and authority over the people." This enabled them to manage national funds and collect $200,000 for "salaries and services" without giving the common Cherokee "a cent."[2] In short, Ross's opponents declared:[3]

> This patriotic man sold his share of his country, put the money in his pocket, went back for another share, lived upon the national annuities many years, became the mortal enemy of 'land settlers,' and justified the murder of rival chiefs for selling a country.

While this early episode suspended a giant question mark above the integrity of Ross, post-removal Cherokees complained primarily about his handling of removal finances.

Emigrants had successfully migrated westward since the beginning of

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[1] S. C. Stambough and Amos Kendall to William Marcy, December 30, 1845, "Cherokee Disturbances," United States House of Representatives, 29th Congress, 1st Session, *Document 185* (Washington: Richie and Heiss, 1846), p. 59.

[2] John F. Schermerhorn to Lewis Cass, Letters Received, Office of Indian Affairs, National Archives, Washington, D.C.; Heinrich Clauder, "The Diary of the Moravian Missions among the Cherokee Indians, January 18, 1935," unpublished manuscript, Indian Archives Division, Oklahoma Historical Society, Oklahoma City, Oklahoma.

[3] Stambaugh and Kendall to Marcy, December 30, 1845, "Cherokee Disturbances," United States House of Representatives, 29th Congress, 1st Session, *Document 185*, p. 58.

the nineteenth century with little difficulty or expense. The Treaty party, which had approximately 1,000 members, removed efficiently in 1837—though its leaders enjoyed grants and compensation from the United States for helping obtain the 1835 treaty. In the West, Treaty party leaders prospered as planters and entrepreneurs and the people seemed somewhat content.

However, most Cherokees who remained in the East had to remove under the 1835 treaty which invited abuses by its gratuitous provisions. The Cherokees, agreeing to remove within two years, were promised $5,000,000 for their eastern lands, however, $500,000 was retained by the Federal government in payment for the Neutral Lands, a rectangular strip jutting northward along Missouri's western border. The United States further promised to pay for both removal expenses and a year's subsistence in the West.[4] Congress provided ample funds, which were calculated according to normal emigration expenses, for removal, but the Cherokee expense claims far exceeded appropriations and provoked criticism and charges of corruption.[5]

The crucial issue was management. At Ross's request, Cherokees managed the removal and expenses inexplicably escalated. Major General Winfield Scott, conducting the federal dragnet which expelled the Cherokees from Georgia in 1838, sympathized with the Indians and benevolently approved their requisitions, but even he questioned the large claims the Cherokees submitted. Discussing a $100,000 requisition to Lewis Ross "certified" by John Ross, Scott indicted no one but suggested the claim failed to "fall strictly within the arrangement" between the United States and the Cherokees "which placed the removal" under Ross's control.[6]

Though Scott admitted that projected expenses might have been underestimated, he nonetheless criticized Ross's actions. Costly supplies dispensed by Lewis Ross at eastern "depots," designed "to keep the people in good humor," appeared "irregular" and in violation of the removal agreement. In addition, Scott feared "double issues" were charged to the nation's account and exorbitant forage bills presented at the depots appeared "too high."[7]

Available removal funds invited graft. Experts estimated a person could remove and subsist himself one year for $53.00; those removing themselves received this amount in cash, and it served as a financial guideline for the

[4] Charles J. Kappler, comp., *Indian Affairs: Laws and Treaties* (5 vols., Washington: Government Printing Office, 1904–1941), Vol. II, pp. 325–333.

[5] Resolution of the United States Senate, January 10, 1839, Letters Received Office of Indian Affairs; Resolution of the United States Senate, January 23, 1839, *ibid.*

[6] Winfield Scott to John Ross, November 14, 1838, Hargett Collection, Library, University of Oklahoma, Norman, Oklahoma.

[7] *Ibid.*

Principal Chief John Ross, whose financial dealings during the removal of the Cherokees were questioned by some members of the tribe.

Ross-directed mass removal. The United States ultimately appropriated $1,700,000 to pay Cherokee expenses, and over $1,200,000 of this remained in the national treasury after the exodus. But expenses inflated as emigrants discovered the profitability of padding claim accounts, so by November, 1839, some $2,329,524 had been allowed for Cherokee claims.[8] This exceeded, by $500,000, appropriations of the Federal government, but even subtracting this deficit from the treaty fund left the Cherokees some $4,000,000 remaining.

Adjudicating Cherokee claims tested federal investigating officials' acumen and fortitude. It was, for example, difficult to ascertain and reimburse Indians for lost personal property and improvements on common land. As claims escalated, the federal officials discarded their promise to pay expenses and siphoned funds from the supposedly-inviolate orginal $5,000,000 settlement. Ross obtained $581,346 for one claim; the supply firm of Glasgow and Harrison received $674,527—thus $1,250,000 vanished from the national fund.[9]

Though "misunderstanding and error" explained certain deficits, incredulous Ross-critics doubted anyone could misplace millions of dollars.[10] After Ross wrested a large personal claim from the Federal government, one official estimated the removal, not including subsistance thereafter, of 13,149 Cherokees had cost $103 per person—five times the estimated removal cost.[11] After paying all expense claims, only $683,974 of the original $4,500,000 remained in the treaty fund. Anti-Ross men claimed the Cherokees should have the amount guaranteed in 1835, and their constant agitations disturbed the nation throughout the 1840s.[12]

Of the entire amount distributed among the Cherokees, an itemized account indicated the $2,982,921 was disbursed by authorized federal agents in the East, $1,681,474 in the West and $1,452,545 in Washington, D.C.—$6,116,941 of the appropriated $6,500,000.[13] The United States expended the money it promised so irregularities and illegal profits, if any, must be traced to Cherokee leaders, for the money was given 174 of them who were conductors, physicians or suppliers.[14]

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[8] T. H. Crawford to J. R. Poinsett, November 29, 1839, Letters Received, Office of Indian Affairs.

[9] G. C. Washington and John T. Maston to Marcy, May 27, 1845, *ibid.*

[10] W. Medill to W. L. Marcy, May 10, 1848, *ibid.*

[11] *Ibid.*

[12] "Report of Second Comptroller and Second Auditor," January 15, 1849, United States Senate, 30th Congress, 2d. Session, *Executive Document 12* (Washington: Boyd and Hamilton, 1849), p. 3.

[13] Treasury Department Statement, Letters Received, Office of Indian Affairs.

[14] Statement of Persons Employed, 1835, *ibid.*; Removal Expense Account, Hargett Collection; Detachment Accounts, 1846, Letters Received, Office of Indian Affairs.

The thirteen emigration companies moved westward at different speeds, incurring various expenses, but most of them asked for about $100,000.[15] One detachment, dallying like a school boy *en route* home, prolonged its journey for 154 days, providing Captain Peter Hildebrand with $770; his 1,500 people cost $182,407 to remove—six times the estimated amount.[16] Conflicting figures presented by Ross and federal agents added to the controversy. Ross claimed 1,766 Cherokees were in Hildebrand's detachment but agent Stephenson counted only 1,311.[17] Non-existent emigrants escalated contractor's profits as the United States paid cash for supplying enrolled nonentities. Ross regularly claimed more in detachments than agents reported.[18]

A variety of individuals, both white and Indian, criticized Ross's conduct. Distant rumblings of fraud in the removal process aroused scandal-sensitive politicians. Wilson Lumpkin, a Georgian who helped dislodge the Cherokees, suspected Ross's integrity and claimed "John Ross has had the entire control and disbursement of millions of dollars, as King of the Cherokees, during the last twenty years." Shrewdly manipulating "this immense amount of money" without "supervision or checks on his financial aspirations," Ross had retained "power" and "popularity" in the nation.[19] Others recalled how Ross had attempted to get money for his delegation expenses in Washington and frequently wanted national funds paid to him personally.[20]

Reconsidering removal activities, Scott joined Lumpkin and jettisoned all confidence in Ross. Agreeing with Treaty party leader John A. Bell, Scott declared that Lewis Ross's supply contract was granted by a Ross coterie which considered no other bids; indeed, Bell claimed one company had unsuccessfully offered Lewis Ross $40,000 for his contract.[21] John C. McCain, an accountant who examined Ross's records after emigrant companies had arrived at Fort Gibson, in the new Cherokee Nation in the West, estimated "a clear profit of more than $150,000 was realized by Ross and his co-partners."[22] Such profit came from exaggerating expenses, such as giving

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15 *Ibid.*

16 *Ibid.*

17 Emigration Companies, "Removal of the Cherokees West of the Mississippi," United States House of Representatives, 27th Congress, 2d Session, *Document 1098* (Washington: Blair and Rives, 1842), p. 10.

18 *Ibid.*

19 Wilson Lumpkin, *The Removal of the Cherokees from Georgia* (2 vols., New York: Dodd, Mead and Company, 1907), Vol. I, p. 187.

20 John Ross and Delegation to Poinsett, June 20, 1838, Letters Received, Office of Indian Affairs.

21 Crawford to Poinsett, August 8, 1840, "Removal of the Cherokees West of the Mississippi," United States House of Representatives, 27th Congress, 2d Session, *Document 1098*, p. 8.

22 *Ibid.*

Cherokees rations costing nine cents and charging the United States, though ultimately the Cherokee Nation, sixteen cents.

As Scott surveyed the removal process, the overall picture came into focus. He concluded, with mounting certainty, that supplies ordered and "certified" by Ross had bolstered "the profits of his brother Lewis."[23] Scott admitted the 12,000 emigrants faced unusual climatic and organizational difficulties, but he discounted their impact upon the finances. Concerning the disparate head counts submitted by government agents and the Rosses, Scott knew "not what to say," though he wryly noted "the Rosses, I perceive, always charge the greatest number."[24] Concluding his analysis somewhat sadly, Scott considered the "many doubtful and extravagant charges" made by the Rosses against the funds of their nation which could only "augment the profits of Lewis, and perhaps of John; or . . . increase (by disgoring) the per capita of their party, to the prejudice of the treaty party of the same nation."[25] And this was precisely what was charged by both the members of the Treaty party and Old Settlers. They complained Ross had consumed the money owed the Cherokee people by milking the removal fund so that only he and his followers would profit from the 1835 treaty.

Ross allayed no suspicions by his conduct. Though his Georgia property was valued at between $40,000 and $50,000, he demanded $164,250 in damages to his improvements and public image, a claim which infuriated anti-Ross spokesmen.[26] At first he received only $23,323 for his claim, but he maneuvered with the patience of an experienced lobbyist for additional funds and received a bounteous personal appropriation from John Tyler's administration.[27]

The stench of corruption quickened sensitive anti-Ross Cherokee nerves. During removal, John A. Bell had vainly protested the "absolute power" granted Ross as conductor, predicting the chief would clear $200,000. Bell contended a legitimate contractor could remove the people for $100,000 and warned against "stupendous individual speculation" which would make the removal a farce and ruin the nation.[28]

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[23] *Ibid.* p. 29.

[24] *Ibid.*

[25] *Ibid.*, p. 30.

[26] John Kennedy and James Liddell to C. A. Harris, July 30, 1838, Letters Received, Office of Indian Affairs; Claim of J. Ross, Vertical File, Indian Archives Division, Oklahoma Historical Society, Oklahoma City, Oklahoma; Wilson Lumpkin to Secretary of War, July 7, 1840, John Ross Papers, Thomas R. Gilcrease Institute of American History and Art, Tulsa, Oklahoma.

[27] John Ross to Crawford, July 10, 1840 and John Ross to Crawford, July 13, 1840, Letters Received, Office of Indian Affairs.

[28] John A. Bell *et al.* to Scott, August 20, 1838, "Removal of the Cherokee Nation West of the Mississippi," United States House of Representatives, 27th Congress, 2d. Session, *Document 1098*, pp. 32–35.

Following removal, anti-Ross sentiment fanned by rumor and aspersion, flamed fluorescently against a darkening background of suspicious distrust. Brigadier General Matthew Arbuckle, commandant at Fort Gibson, said a "highly respectable" National Council member, "not a treaty man or old settler," planned "to impeach" Ross "for having practised fraud on the Cherokee nation," but Ross's "influential" supporters, "conductors of parties, owners of waggons in the late emigration," blocked the threatened attempt.[29] Boiling with hostility, Arbuckle wondered how the government would spend and thus deprive poor Cherokees of "millions" when John Ross had declared "that after his accounts were settled there would be no money left."[30]

Equally angry Old Settlers enlisted in the anti-Ross campaign. The dissidents decried the weeks and months Ross spent in Washington pushing his personal claims and conspiring to divide national monies with his friends.[31] Spokesmen for North Carolina Cherokees, 1,200 men, women and children who had escaped the 1838 army dragnet, also wanted Ross watched carefully, for they feared he might take as much as $1,200,000 and leave them penniless.[32]

Ignoring his foes, Ross wheedled cash from the United States. Following instructions from the Cherokee National Council, he received $500,000 for the nation; however, his machinations alienated some of his "warmest friends and supporters" who subsequently favored distributing the money to individuals and accused Ross of "a disposition to appropriate the Cherokee fund for his own benefit and that of his immediate relatives."[33]

Ross's control of the nation teetered delicately as Cherokees listened to his critics' charges. Anti-Ross spokesmen promised the people sizeable per capita distributions of treaty monies if only Ross were ousted, and council members who supported Ross's opposition to such per capita payments momentarily endured tribal animosity. Ross, nonetheless, opportunely returned from Washington promising a new treaty which would solve all problems.[34] Thus buttressed by the hope of an even more lucrative treaty, Cherokees rejected the anti-Ross dissidents' proposals. From 1841 until 1846 Ross evaded the financial question by smoothly promising a treaty which would rectify ills and guarantee affluence.

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[29] M. Arbuckle to Brigadier General R. Jones, February 15, 1841, Letters Received, Office of Indian Affairs.

[30] *Ibid.*

[31] William Rogers to William C. Dawson, May 23, 1841, *ibid.*

[32] James Grahm to Bell, July 6, 1841, and David Taylor to President of the United States, September 1, 1841, *ibid.*

[33] E. A. Hitchcock to J. C. Spencer, November 28, 1841, *ibid.*

[34] *Ibid.*

Ross brought off this *coup de maitre* in December, 1841, precisely at the moment he might have been ousted from his position. Riding into Tahlequah, the new capital of the Cherokee Nation, with quiet dignity, Ross solemnly talked with old friends, and then went to "his place in a sort of pulpit" and addressed his people.[35] Speaking in English, while a Cherokee interpreted his message for the people, Ross defended his position. An American investigator, Ethan Allen Hitchcock, sensed the electrified passion of the crowd and predicted Ross's death if the chief failed to get per capita monies to his people. Unfortunately, few Cherokees realized that most of the treaty fund, from which per capita payments would be made, had already been expended on claim settlements. Ross tried to camouflage real issues and avoid confrontations, and, though an awakened National Council instructed him "to account for all monies he had received from General Scott" during removal, he flaunted the council's demands.[36] Even though the council favored it, ordinary Cherokees led the nation and no agreement supplied it with fresh funds.

By 1842, the per capita payment issue was the "great and absorbing question" upon which rested the "peace and safety of the nation."[37] The Stand Watie led Treaty party faction gained favor as pork-barrelling politicians by demanding that all Cherokees be paid what the 1835 treaty guaranteed them. Old Settlers clasped hands with Watie and demanded that Ross "account for all the money" which had mysteriously evaporated in his hands.[38] John Rollin Ridge, son of the murdered Treaty party leader John Ridge, rejoiced at the rumor that Ross had taken $500,000 from the United States "because his character will perhaps be hereafter understood."[39]

After a year of struggle, Ross, won his greatest political battle in the 1842 election for national Cherokee officials. Anti-Ross people complained he triumphed, through bribery and threats and the use of his kinsmen's stores throughout the nation. When some Ross officials were slain during the election, he wielded the tragedy like a club and successfully drove all opposition from the political battlefield. Yet even his followers still demanded a financial accounting.[40]

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[35] Ethan Allen Hitchcock, *A Traveler in Indian Territory*, Grant Foreman, ed. (Cedar Rapids: Torch Press, 1930), p. 38.

[36] *Ibid.*, p. 43.

[37] P. M. Butler to William Armstrong, March 4, 1842, Letters Received, Office of Indian Affairs.

[38] Thomas L. Rogers to William Rogers, March [?], Cherokee Nation Papers, Library, University of Oklahoma, Norman, Oklahoma.

[39] John R. Ridge to Stand Watie, October 2, 1842, Jordon Collection, Library, University of Oklahoma, Norman, Oklahoma.

[40] George W. Adair and Bell to Medill, March 1846, "Cherokee Disturbances," United States House of Representatives, 29th Congress, 1st Session, *Document 185*, p. 85.

Major Ridge one of the murdered leaders of the Anti-Ross faction of Cherokees.

John Ridge—son of Major Ridge—who was also killed during the disturbances connected with the removal of the Cherokees.

When the Cherokee National Council demanded money to pay the nation's debts, Ross dipped into some hidden reservoir and brought forth $125,000—"savings" from wagons which were purchased and sold rather than rented during removal.[41] While Ross assumed a benevolent posture in giving the nation $125,000, which purchased a reprieve for himself and his "hirling banditti" according to one foe, he and his family bought up depreciated "national certificates," issued instead of currency by the nation, and surreptitiously refurbished their coffers.[42] Because the masses of Cherokees lacked financial insight, they understood neither the $125,000 gift nor the cornered certificates, and Ross carried off both like an actor on stage and emerged with his image only moderately tarnished.[43]

But Anglo-Americans, displaying Yankee intuition, had less financial naivete, and the Federal government, prodded by an aroused Treaty party, stepped up its investigation. In August, 1842, R. E. Clements, who had witnessed the "exceedingly extravagant" price commanded by the Rosses during removal, asserted competitive contractors would have taken the

41 *Ibid.*
42 *Ibid.*
43 *Ibid.*

removal contract "for less than one-half the amount agreed to be paid by John Ross," however no bids were "allowed" by the national authorities on either removal supplies or subsistence.[44]

Another man claimed he removed in fifty-five days at the cost of $20.00 per person.[45] Ross charged over $100 for each individual, so critics charged his conductors had purposefully dallied *en route* by stopping an entire detachment "to send for a few sacks of salt" or "shoe an ox." One conductor "drove up and down the line which divides Arkansas from the Indian Country for several days, viewing the 'promised land,' but not entering, because the delay would put five dollars a day in the pockets of the conductor, and subtract as many hundreds from the Cherokee funds."[46] Others charged that Ross had exchanged $776,000 of tribal money for Tennessee currency at personal profit and purchased, with Cherokee funds, "wagons, teams, carriages, horses, and steamboats, which for effect were branded 'C.N.' "[47] As the United States agreed to pay removal expenses, Ross bought teams in the East with tribal money and charged the Federal government for a round trip though he sold them in the West and simply fabricated accounts of the return journey to get more money as conductor.[48] One of Lewis Ross's partners, Thomas H. Hindman, cleared $44,000 from the removal, though he complained he was deprived of the "fair divident" gained by the others.[49]

Stimulated by evident fraud, the members of the Treaty party demanded a federal investigation as well as full payment under the terms of the 1835 treaty. They asked for the original $5,000,000 supposedly preserved for the Cherokee people—including the coveted per capita payments.[50] In 1844, the Treaty party presented an elaborately researched, reasonably estimated memorial to the United States, detailing the amount Cherokees still expected according to the treaty. Arguing that the United States had appropriated $6,647,067 while all expenditures totaled $4,171,333, the members of the Treaty party contended that even if the Federal government refused to appropriate money for expenses and violated the treaty by paying them out

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[44] R. E. Clements Testimony, "Removal of the Cherokees West of the Mississippi," United States House of Representatives, 27th Congress, 1st Session, *Document 1098*, p. 63.

[45] Garry Hinant Testimony, *ibid.*, p. 67.

[46] Adair *et al.* to Medill, March 1846, "Cherokee Disturbances," United States House of Representatives, 29th Congress, 1st Session, *Document 185*, p. 79.

[47] Gideon F. Morris Testimony, "Removal of the Cherokees West of the Mississippi," United States House of Representatives, 27th Congress, 1st Session, *Document 1098*, pp. 64–65.

[48] *Ibid.*, p. 66.

[49] Bell *et al.* to William Wilkins, June 14, 1844, Letters Received, Office of Indian Affairs.

[50] Memorial of the Treaty party, 1844, *ibid.*

of the $5,000,000 grant, $2,475,734 still remained in the Cherokee fund and should be paid immediately to heads of families at $150 per family.[51]

Treaty party representatives condemned the "grievous misapplications of these funds" without blaming federal officials.[52] They stored their reservoir of ire for the nation's chief, contending only Ross and his henchmen had profited from a treaty designed to recompense all the Cherokees. By their figures, Ross received $1,357,745 for removing 11,000 people, a cost of $103 per person, because they could have been moved at a cost of $20.00 per head, a "profligate contract" enabled "half a dozen individuals" to defraud

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[51] *Ibid.*
[52] *Ibid.*

The "Trail of Tears"—Ross's management of the removal of the majority of the tribal members caused some Cherokees to question his actual motives.

the Cherokees.[53] They censured the $581,346 Ross received in 1841, the $556,476 paid for "expenses of superintendents, agents, and conductors" and the $674,527 paid the firm of Glasgow and Harrison for subsistence in the West. Treaty men believed "enormous sums" were "charged for Cherokees who never removed—for wagons and horses which never traveled—for the return of wagons which were sold, and the money pocketed by the designing Chiefs."[54]

Because subsistence payments increased the total cost of removal to about

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53 *Ibid.*

54 George W. Paschal Address to the Public, June 20, 1843, Stand Watie Papers, Gibson Collection, Library, University of Oklahoma, Norman, Oklahoma.

$150 per person, only $275,499 actually remained in the general fund. Common Cherokees, "transported in herds" during removal, hardly understood the "stupendious fraud" through which "half a dozen designing men ammassed princely fortunes" and dominated the nation thereafter.[55] Suffering, like humility, attracts few tangible dividends, and most Cherokees received nothing, for "not one dollar of the money paid Mr. Ross reached the Cherokee Treasury."[56] Some benevolent merchants, like the Ridges, eased indigence with "charity," but now money was scarce, the Cherokee National Council impotent and only the United States appeared able to save the nation from financial and political chaos.[57]

When an 1844 *Memorial* brought no action, the members of the Treaty party framed a similar one the next year. Sensing danger as intuitively as sparrows sense a coming storm, party leaders dared "not even assemble" or appoint party "representatives" to appeal to the United States.[58] While many Cherokees now sympathized with the anti-Ross faction's effort to overcome the "fraudulent claims of Ross and his band," the mighty influence of over "thirteen hundred thousand dollars" overwhelmed them.[59]

Old Settler lawyers waxed even more stridently. To S. C. Stambaugh and Amos Kendall, Ross was an "extraordinary man," a smooth politician "with scarcely enough Cherokee blood in his veins to mark him as of Indian descent," whose "avarice"—"his ruling passion"—was sated by playing upon the ignorance and prejudices of the Cherokees, and obstinately opposing the policy of the United States.[60] They further argued, after figuring the actual per capita emigration cost and subtracting it from that charge by Ross, he profited between $831,785 and $1,094,765.[61]

The Old Settlers argued, like dispossessed heirs, that Ross had cheated his people. For example, they contended he had kept the $581,346 given him by Tyler's administration which belonged to the entire Cherokee Nation. Ross had "acknowledged" it as tribal money when he received it in Washington, but when "his committee and council" asked for an accounting "he told them it was not the nation's money, but his own, and not a dollar of it has he paid over to the nation to this day."[62] In three years, they claimed

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55 Memorial of the Treaty party, 1844, Letters Received, Office of Indian Affairs.

56 *Ibid.*

57 *Ibid.*

58 T. L. Rogers to William Rogers, March [1846], Cherokee Nation Papers.

59 Memorial of the Treaty party, 1845, "Cherokee Disturbances," United States House of Representatives, 29th Congress, 1st Session, *Document 185*, p. 104.

60 Stambaugh and Kendall to Marcy, December 30, 1845, *ibid.*, p. 57.

61 *Ibid.*, 62.

62 *Ibid.*, p. 63.

Ross had charged the nation $140,000 for assorted expenses and simultaneously profited from speculative removal schemes. Concluding their argument, Stambaugh and Kendall cried:[63]

> The Ridges sold the country for the benefit of the nation; the Rosses, in the name of the nation, put the money in their own pockets. For their honest and disinterested sale, the Ridges were murdered! For appropriating the money, the Rosses have been sustained, honored, and promoted!

Less polished anti-Ross people were more emphatic. One Cherokee contended Ross had been "stealing" from the tribe in Georgia and was a "robber chief and chief of robbers" who had taken $50.00 from every man, woman and child of the tribe. The enemies of Ross continued to assail him as a crook and a scoundrel.[64] One man declared he "robbed" the Cherokees of $1,000,000 through his removal contract and managed to both oppose the United States and be "fed and cajoled" by it while killing and plundering "its best friends." With tribal money, Treaty party spokesmen claimed, the Ross family had "established large mercantile establishments in different sections of the country" which permitted them to life "in great style" and oppress "those who have dared complain of this open dishonesty."[65]

While such scandalous protests make more exciting reading, the Ross government had its justifications. Removal expenses were considerable; Lewis Ross had to bargain with white suppliers and perhaps paid inordinate costs. By conducting the removal personally, Ross handled its finances, but he did it, he argued, to protect his people and avoid any commitment to the officially-unrecognized 1835 treaty.[66]

Naming his brother, Lewis, removal contractor, Ross remained unperturbed by Scott's queries about financial irregularities.[67] Having calculated it would cost $66.00 to remove a person to the West, he planned his program accordingly.[68] Unexpected expenses, he maintained, resulted from logistical exigencies rather than dishonest conductors.

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[63] *Ibid.*, p. 64; Stambaugh and Kendall to Commissioner of Indian Affairs, January 24, 1847, Cherokee Nation Papers, express similar sentiments.

[64] To the Public, anonymous article, [1846?], Cherokee Nation Papers.

[65] Anonymous letter, n.d., Cherokee Nation Papers; Adair and Bell to Medill, March 1846, "Cherokee Disturbances," United States House of Representatives, 29th Congress, 1st Session, *Document 185*, p. 82.

[66] John Howard Payne Papers, August 1, 1838, Ayer Collection, Newberry Library, Chicago, Illinois.

[67] Articles of Agreement between John Ross and Representatives of the Cherokee Nation, August 10, 1838, John Ross Papers; Winfield Scott to John Ross *et al.*, August 1, 1838, *Report of the Commissioner of Indian Affairs, 1824–1841* (Washington: Blair and Rives, 1842), p. 435.

[68] John Ross to Scott, November 7, 1838, Hargett Collection.

Post-removal events indicated Ross was less altruistic than his claim. A note he sent to Lewis Ross just after arriving in the West was particularly suggestive, for he asked him to bring "receipts and abstracts" of removal finances for him to examine, for he had been giving considerable thought to "the business of the late emigration."[69] Ross's underlining, though perhaps merely for emphasis, seemed to indicate something more sinister, such as settling accounts at mutual profit.

After the removal Ross never defended himself persuasively against charges of graft. Indeed, he tried, like a politician up for re-election, to ignore them. He continued to press his personal claims upon federal officials and demanded the national annuities be given him and his delegation. When the United States threatened to withhold monies until Cherokee disturbances ended, Ross calmly denied, only a year after three Treaty party leaders were murdered, knowledge "of the existence of any such difficulties."[70]

Other than a few spasmodic attempts at self-justification, Ross did little to disprove his critics' accusations, with the signal exception of his 1842 address to the Cherokee National Council. On December 14, 1842, a hard-headed, sharp-tongued Cherokee council demanded its principal chief account for money which had passed through his hands since 1835. Six days later he defended himself. Asserting that before the fall of 1837 the nation's treasurer, John Martin, had handled its finances, Ross claimed he knew nothing about them; since 1841, likewise, the national treasurer, David Vann, had collected and dispersed national annuities. Studiously digressing to review the horrors of the 1838 round-up and removal, Ross took credit for obtaining the 1838 appropriation of $1,147,000 which enabled the Cherokees to remove.

When the troops enforced removal, Ross continued, the Cherokee Nation selected a delegation to supervise transit, and this delegation persuaded Scott to let it conduct the removal. He admitted he had supervised removal and promised that as soon as its accounts were settled "the transactions of my superintendency will be reported to the Nation."[71] But for some reason no record of the removal finances, like many a politician's expense account, was ever published.

Sensitive about the issue, Ross denounced inquisitive citizens as coveteous foes of the government. Because he had never recognized the 1835 treaty, he ingeniously claimed he had received no money under its provisions, con-

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[69] [John Ross] to brother [Lewis], June 1, 1839, John Ross Papers.

[70] Crawford to M. St. Claire Clark, June 19, 1840, John Ross Papers; Clark to Poinsett, July 13, 1840, Letters Received, Office of Indian Affairs.

[71] John Ross *et al.* to Crawford, July 27, 1840, *ibid.*

Winfield Scott who commanded the military force which escorted the Cherokees over the "Trail of Tears," and raised some questions concerning Ross's actions during the removal process.

tending the Cherokees had removed and obtained compensation claims only because he had wrangled appropriations from the United States.[72]

What then really happened? Some observers thought "Ross a rascal, *i.e.*, an artful, cunning, shrewd, managing, ambitious man."[73] Many accusations and facts, cast suspicion on the financial integrity of Ross, but no conclusive documents exist which prove he deliberately stole from his people. Yet the virtual disappearance, completely unexplained, of almost $6,000,000 indicates someone, in some way, profited from Cherokee misfortune. No man could have profited more easily, and no man seemed to prosper so openly, as Ross who seemed unable to prove his innocence! Perhaps the judgment of an "attentive" witness, Hitchcock, was most incisive and must be tentatively accepted:[74]

> I am of the opinion that John Ross is an honest man and a patriot laboring for the good of his people. In the recent trouble of his nation, including several years, with almost unlimited oportunities he has not enriched himself. It is unfortunate for his reputation that several of his relatives, particularly his brother Lewis, have realized fortunes through his instrumentality, though it is fair to consider that this may have resulted from contracts properly made.

Bewitched by Ross's charm, Hitchcock was not utterly dispassionate, but perhaps he gave as sane a judgment as may be reached. Some justification for Ross is found in the complex maze which confused both removal participants and later investigators. Some Jacob-natured Cherokees cheated their brethren of birthrights, and many cries of fraud had nothing to do

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[72] John Ross message, January 20, 1842, *ibid.*
[73] *Ibid.*
[74] Hitchcock, *Traveler in Indian Territory*, pp. 27–234.

with Ross.[75] Further complicating the situation, certain lawyers inflicted their services upon the Indians and were often the first and only ones to profit in claims' settlements.[76] William Wirt's heirs, for example, billed the Cherokee Nation for $10,000 for his services in their dispute with Georgia.[77] Ten other lawyers received $152,950 in one settlement, and in some instances "half of the whole amount recovered for the Indian . . . [was] exacted for attending to the prosecution of the claim," and many Indians had no idea how much money they lost.[78]

They encountered still more difficulties dealing with government agents and officials.[79] Major A. J. Rains received $13,500 from the firm of Glasgow and Harrison for withdrawing his complaint against them for corruption—and could have got $20,000![80] For subsisting the Cherokees their first year in the West, Glasgow and Harrison charged from 9.3 cents to 15.9 cents per ration—when the average cost for Indian rations was 6.7 cents.[81] To increase their profits, the supply contractors often claimed they had no rations and gave the Indians "due bills" guaranteeing them provisions later; then the contractors would send men out to buy up the "due bills" at far less than they were actually worth.[82] Regardless of endemic complaints, neither Arbuckle, usually anxious to interfere in Cherokee affairs, nor agent William Armstrong attempted to halt the contractor's frauds.[83] Indeed, they were themselves suspected of corruption.

To these difficulties were added the expenses of running a school system, maintaining order through police companies and other legitimate needs of any government. This offers some explanation for the financial quagmire which engulfed the Cherokee Nation and divided its people. But if John Ross had been both honest and financially astute, there might have been no enduring problem! It would take another treaty with the United States, in 1846, to resolve the controversy which kept the Cherokees divided in the post-removal years.

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[75] Lowry Williams petition, April 4, 1838, "Memorial," United States House of Representatives, 30th Congress, 1st Session, *Report 644* (Washington: Richie and Heiss, 1848), p. 2.

[76] Lumpkin, *Removal of the Cherokees from Georgia*, Vol. II, p. 178.

[77] William Wirt Estate Claim; Wirt to Poinsett, September 3, 1838; A. J. Clayton to Lumpkin, November 18, 1836, Letters Received Office of Indian Affairs.

[78] Attorney's Fees, July 8, 1837, John Ross Papers; Kennedy and Thomas W. Wilson to Harris, December 30, 1837, *ibid.*

[79] Hitchcock, *Traveler in Indian Territory*, p. 69.

[80] Hitchcock to Armstrong, March 7, 1842, "Report," United States House of Representatives, 27th Congress, 3d. Session, *Report 271* (Washington: Blair and Rives, 1843), p. 140.

[81] E. A. Hitchcock Report, April 8, 1842, *ibid.*

[82] *Ibid.*

[83] Hitchcock to J. C. Spencer, August 3, 1842, *ibid.*, p. 146.

☆ NOTES AND DOCUMENTS

ADDRESS TO THE EIGHTIETH ANNIVERSARY CELEBRATION

By George H. Shirk

The word "Heritage," like the fame of Jenks, alone has quite a tale. The word is derived from the same latin word as many others in our language—inheritance, heir, you are the heir to somebody. Oddly enough those words relate to tangible things. An heir is a person, while an inheritance is composed of money, stocks or bonds. However, there is only one of these words, although it comes from the same common source, Jenks, that means something intangible. That word is heritage.

It is to me odd and remarkable that one Latin word produces things that mean entirely different; and heritage and history truly are completely distinct and separate. History is just the cold facts, like the skeleton of a building, or the framework that is unbending. But heritage is what actually forms us. While all of us have a skeleton, and they all look alike, we all have a history. Nonetheless each one of us is a distinctly different person and there is our heritage, our customs, our morals, our attitudes, our eyes, our smiles, our personalities and all those things are all hung on that common framework. Thus while history is fine, heritage is what we actually treasure.

Heritage to me is the only thing we have collectively between us. All these other words from that same Latin word relate to us as individuals. Whether we are an heir to someone or whether we have an inheritance—a hereditas—that is something to do with our real estate, and so on, but heritage is something we all have. In the same way that genes determining my

characteristics are passed from my ancestors to me and on down. heritage is nothing more than the collective genes and chromosomes of a lot of us. Through that source we collectively inherit our own collective personality that we in turn pass down the line. Well I hope that you will be at the celebration on May 27, 1993, when they open the time capsule. I certainly intend to be there and I know most everyone in this room will, but you all just cannot have any idea. I would like to go around the room and call everybody by name and thank them for taking their time to be here. I really did not know I had that many friends. I sure must have. I will simply work that much harder and we have got lots to do. Thank you all so very, very much. This will be a treasured evening for Lucyl and myself and it was fun to be together. Goodnight.

MEMORIALS TO DECEASED MEMBERS OF OKLAHOMA HISTORICAL SOCIETY: EARL EUGENE JAMES

A memorial was recently dedicated by the Grand Lodge of the Benevolent and Protective Order of Elks in memory of Earl Eugene James, a life member of the Oklahoma Historical Society and the only Grand Exalted Ruler of the Elks from Oklahoma. Born in Farmer City, Illinois on May 9, 1901, Jones moved to Oklahoma City, Oklahoma, as a child and attended Central High School. Graduating from the University of Oklahoma Law School in 1922, Jones was a member of the Oklahoma County, State and American Bar Associations; Phi Delta Phi honorary legal fraternity; and was admitted to practice before the United States Supreme Court.

Always interested in civic affairs, Jones was one of the organizers of the Oklahoma City Junior Chamber of Commerce, a charter member of the National Cowboy Hall of Fame and Western Heritage Center, a member-at-large of the National Council of Boy Scouts of America, a Diamond Life Member of Phi Kappa Alpha and was honored in the 1954–1955 *Who's Who in America.*

In addition to his wife, Jones is survived by his children: Earl Eugene, Jr.; Lewis Francis; and Mary Juanita Dobson.

OKLAHOMA NATIONAL GUARD ON THE MEXICAN BORDER, 1916

Special train carrying members of the Oklahoma National Guard to duty on the Mexican border in 1916.

With the dispatch of regular United States Army troops across the border into Mexico in quest of Francisco (Pancho) Villa in 1916, several National Guard units across the United States were called to active duty to patrol the boundary between the two nations. Mr. Bill Stanford, of Okemah, Oklahoma, was one of the members of the First Oklahoma Cavalry Regiment which saw service in the campaign. He recently found previously unpublished photographs of the activities of the Oklahoma units, and donated copies to the Oklahoma Historical Society.

The men gathered at their local assembly areas, and then rode their horses to nearby railroad terminals, where they boarded special trains for the journey to the international boundary. Once they arrived on the Mexican border, the members of the First Oklahoma Cavalry Regiment replaced the regular army troops and conducted patrol operations to guard against a raid into the United States by Villa's forces.

Men of the First Oklahoma Cavalry Regiment on patrol near the boundary between the United States and Mexico.

MURIEL H. WRIGHT HERITAGE ENDOWMENT

The Board of Directors of the Oklahoma Historical Society has created the "Muriel H. Wright Heritage Endowment," which will present an annual award to the author whose contribution to *The Chronicles of Oklahoma* best typifies the standards of excellence which Dr. Wright established during her years as editor of the journal, thus providing the incentive to carry on that tradition of excellence.

Anyone wishing to contribute to the Muriel H. Wright Heritage Endowment should contact the Business Office of the Oklahoma Historical Society.

ANNOUNCEMENT FROM THE HISTORY DEPARTMENT, OKLAHOMA STATE UNIVERSITY

The History Department of Oklahoma State University announces the following activities and staff changes effective with the autumn semester of 1973: LeRoy H. Fischer, professor of history, became Oppenheim regents professor of history; Virginia Allen, part-time instructor, became instructor in the history of medicine at the University of Oklahoma College of Medicine Health Sciences Center, Oklahoma City; Kenny A. Franks, part-time instructor, became editor of *The Chronicles of Oklahoma* and head of the Editorial Department of the Oklahoma Historical Society; Helga H. Harriman, part-time instructor, became part-time instructor in humanities at Oklahoma State University; Donovan Hofsommer, part-time instructor, became associate professor of history at Wayland Baptist College; Donald E. Houston, part-time instructor, became temporary instructor in history at Cameron State College; Paul F. Lambert, part-time instructor, became executive director of the Oklahoma Heritage Association; Gary E. Moulton, part-time instructor, became instructor in history at Oklahoma Southwestern State College; Cliff Trafzer, part-time instructor, became curator of Century House Museum, Yuma, Arizona; Alvin O. Turner, part-time instructor, became instructor of history at Altus Junior College.

NEW SEAL DEPICTS THE PURPOSE OF THE OKLAHOMA HISTORICAL SOCIETY

By: Mildred Frizzell

Giant white columns, ageless symbols of learning, superimposed in striking contrast to Oklahoma's topography suggested by Black Mesa to the Ouachitas, support a book, forever open at mid-point. This represents the Oklahoma Historical Society, where the quill-penned hand of the scholar is constantly recording, preserving and disseminating the great episodes in our history. The radiating lines that converge at the book suggest its fascinating contents were gathered from every part of Oklahoma. The clouds, hint our boundless horizons of research and future accomplishments. The florid, victorian numbers in our founding date 1893, appear to be break-

ing the sod. This keeps us mindful that the Oklahoma Historical Society was formed in the late nineteenth century, when the pioneers arrived and started developing this ancient land. These traditional symbols, combined in a contemporary design are appropriate for the past as well as the present and the future of Oklahoma. Devoid of specific cultures, the seal of the Oklahoma Historical Society will be forever true and always reflect the source of the authoritative and sophisticated history of Oklahoma.

The original model of the new Seal of the Oklahoma Historical Society was formally presented to President George H. Shirk, by its designer, Ronald Cast, at the dinner honoring the eightieth birthday of the organization on May 26, 1973.

For more than seven decades, the old fashioned, impersonal, notorial type seal had been moved from office to office as the legal documents of the Oklahoma Historical Society multiplied. It carried only the name of the institution around the periphery and the word, "Incorporated," in the center. It was not only devoid of personality but also was inappropriate as the Historical Society, by law, is an agency of the State of Oklahoma and thus more than a corporation for profit. Elmer Fraker, while Administrative Secretary of the organization attempted to improve the seal by adding the founding date, 1893.

One of George Shirk's goals, as president, was to have a new and distinctive seal, worthy of this eminent organization. His plans for a new seal surfaced early in the spring of 1972, while he was acting as one of the judges of the top ten Oklahoma designs for the bicentennial medal competition submitted to the Franklin Mint. After returning his ballot to Donald W. Walton, the Fine Arts Director of the Franklin Mint, Franklin Center, Pennsylvania, President Shirk asked permission to consider the remaining nine designs as possible material for a new seal for the Oklahoma Historical Society. Permission was graciously granted by Walton who kindly sent photocopies for the consideration of the committee.

At the Quarterly Meeting of the Board of Directors on July 27, 1972, President Shirk appointed a seal committee, composed of Mrs. John D. Frizzell, Chairman, President Shirk, Dr. LeRoy H. Fischer, Mr. Bob Foresman and the late Executive Director, V. R. Easterling. One unanimous decision was reached when the Seal Committee met on September 25, 1972—the new seal must be distinctive for the Oklahoma Historical Society, whose purpose is to preserve and recognize all of the varied cultures blended into the heritage of Oklahoma. Each of the Oklahoma bicentennial designs portrayed only one, or perhaps two, of the past cultures of Oklahoma and were not acceptable to the committee. It was evident the artist creating the new seal

must have strong guide lines to make a design that would meet the approval of the president.

With the enticing offer of a $25.00 cash award, contributed by the Twentieth Century Club of Oklahoma City, as a part of its "Diamond Jubilee" activities, the chairman took the seal question to Dr. Hall Duncan, professor of commercial art at Central State University in Edmond.

Dr. Duncan was enthusiastic and offered to direct a contest for the seal in his industrial design class. There were more than forty entries.

President Shirk, at the invitation of Dr. Duncan, opened the contest on Monday, March 5, 1973, when he briefed the assembled artists. After a short history of the Oklahoma Historical Society, Shirk gave the students three criteria: the design must carry the name, Oklahoma Historical Society and the word, seal; it must have the founding date, 1893; and the design must not be limited in time or space by depicting only a few of the cultures of Oklahoma.

The contest closed March 28, 1973, and after a culling of the entries by a professional artist, the chairman picked twenty designs to be displayed at Twentieth Century Club meeting on April 6. Mrs. Fred Zahn, president of the club, asked the members to vote on the top five designs, from which the Oklahoma Historical Society Seal Committee would choose the winner.

There was no unanimous choice of design. The chairman polled the Seal Committee members, and it was left to the president to cast the deciding ballot and pick the winner on April 20. The final selection was ratified and formally adopted by the Board of Directors at its quarterly meeting on April 26, 1973. Formal approval was given on May 27, as part of the Anniversary Day Program.

The following week, the winner of the Oklahoma Historical Society Seal Contest, Ronald Cast, was presented the cash award by Mrs. Zahn at the Historical Society's annual luncheon held at Lincoln Plaza.

Symbolism has played an important roll in the history of Oklahoma from the meaning of its name, "red people," to modern "arrows to atoms." To fully appreciate this design, one must approach it without any preconceived ideas.

This seal depicts the purpose for which the Oklahoma Historical Society was organized—to preserve and perpetuate the history of Oklahoma.

RECENT ACTIVITIES OF THE OKLAHOMA HISTORICAL SOCIETY

By Earl Metcalf

OKLAHOMA TERRITORIAL MUSEUM OPENING

November 16, 1973, turned out to be one of those golden autumn days in Oklahoma when the air was crisp, the sun warm and the breeze gentle. The residents of Guthrie, along with their invited guests, local dignitaries, press, television and officials of the Oklahoma Historical Society, attended the grand opening and dedication of the Pfeiffer Memorial Museum and Carnegie Library historic site.

Fred Pfeiffer, donor of the museum, unveiled his portrait painted by Fred Olds, and members of the Oklahoma Western Artists Association displayed paintings of early-day settlers, Oklahoma scenes and metal sculpture.

Excitement mounted in the early afternoon when a re-enactment of the mock wedding ceremony joining "Miss Indian Territory" and "Mr. Oklahoma Territory" in statehood. Performing the ceremony was Reverend Joseph Osborne, pastor of the Episcopal Church of Guthrie. Miss Deana Harragarra, Miss Indian Oklahoma, portrayed Miss Indian Territory and Bobby Murcer, of baseball fame enacted Mr. Oklahoma Territory.

On that eventful day in 1907, President Theodore Roosevelt sent a telegram to Territorial Governor George W. Steele, announcing that Oklahoma had become the forty-sixth state in the Union. At that time, Dr. Hugh Schott fired a pistol to inform the people that statehood had been granted. Schott's son, Hugh, reenacted his father's role. Other participants involved in the program were Hickory Starr who played godfather to Miss Indian Territory, and Colonel Jack Parsons, godfather to Mr. Oklahoma Territory. Fred Olds, Director of the Oklahoma Territorial Museum, presented a portrait he had painted of Governor Steele to Governor David Hall.

Governor Hall made a brief speech to the swelling crowd of adults and school children who had gathered on the south steps of the library. He recalled the many advancements of our state and nation since 1907 and pointed out the scientific accomplishments, particularly as there were three astronauts in outer space on the anniversary of statehood. Later Mrs. Gladys Warren, Chairman of the Oklahoma Bi-Centennial Commission summed up the future goals of Oklahoma.

FRANK PHILLIPS HOME OPENING

As a tribute to Frank Phillips, pioneer oil man, on what would have been his 100th birthday, November 28, 1973, his home and its furnishings

were deeded to the Oklahoma Historical Society at a ribbon-cutting ceremony on the front steps of his palatial mansion.

The home was given to the Oklahoma Historical Society by Phillip's granddaughter and her husband, Mr. and Mrs. Henry D. Irvin. Mr. Irvin made the presentation to George H. Shirk, President of the Oklahoma Historical Society and the late Dr. V. R. Easterling, Executive Director.

Dr. and Mrs. George R. Kennedy hosted an open house at the home on November 27, where members of the Jane Phillips Sorority, beautifully gowned in dresses of the "Gibson Girl" era, guided the guests through the home. This was followed by a dinner at the Hillcrest Country Club by the Washington County Historical Society.

Master of Ceremonies for the event was Mr. John M. Houchin, Chairman of the Board of Phillips Petroleum Company, who introduced the guest speaker, Dr. Robert B. Kamm, President of Oklahoma State University.

Mr. Edgar Weston, President of the Washington County Historical Society made the special presentations.

The home will be maintained by the Oklahoma Historical Society and open to the public at no charge.

THE WINDS OF OKLAHOMA

The sun, rain, earth, grass, buffalo, and red men.
The lands was beautiful.
The winds blew.

White men, horses, and guns.
The buffalo gave way to cattle herds and cowboys.
The winds blew.

Many more men built railroads,
farms, and cities in Indian and Oklahoma Territories.
Men dreamed, struggled, contested.
They would make Oklahoma a state as good,
no, even better than the older states.

Oklahoma grows.
The winds still blow.

Robert Palmer Howard
August, 1973

OKLAHOMA HISTORY

The following books portraying Oklahoma History are available, on order, from the Oklahoma Historical Society.

CLOTH

Anson, Bert. *The Miami Indians.* $8.95
Baird, A. David. *Peter Pitchlynn.* $7.95.
Bass, Althea. *Cherokee Messenger.* $8.95
Battey, Thomas C. *The Life and Adventures of a Quaker Among the Indians.* $2.95.
Bearss, Edwin C. and Arrell M. Gibson. *Fort Smith.* $6.95.
Berthrong, Donald J. *The Southern Cheyennes.* $8.95.
Bryant, Keith L., Jr. *Alfalfa Bill Murray.* $8.95.
Custer, Elizabeth B. *Following the Guidon.* $2.95.
Dale, Edward E. *Cherokee Cavaliers.* $7.95.
Dale, Edward E. *The Range Cattle Industry.* $7.95.
Debo, Angie. *The Rise and Fall of the Choctaw Republic.* $7.95.
Debo, Angie. *The Road to Disappearance.* $8.95.
Everett, Mark R. *Medical Education in Oklahoma.* $9.95.
Foreman, Grant. *Advancing the Frontier.* $8.95.
Foreman, Grant. *Indian Removal.* $8.95.
Foreman, Grant. *Indians and Pioneers.* $7.95.
Foreman, Grant. *Marcy and the Gold Seekers.* $6.95.
Franklin, Irving L. *Born Sober.* $7.95.
Gibson, Arrell M. *The Kickapoos.* $8.95.
Grinnell, George B. *The Fighting Cheyennes.* $8.95.
Hagan, William T. *The Sac and Fox Indians.* $7.95.
Hanes, Bailey O. *Bill Doolin.* $2.95.
Hargett, Lester. *Gilcrease Catalog.* $10.00.
Hayes, Basil, A. *LeRoy Long.* $5.00.
Hollon, W. Eugene. *Beyond the Cross Timbers.* $6.95.
Hope, Welborn. *The Great River and Small.* $4.95.
Carriker, Robert C. *Fort Supply.* $7.95.
Hyde, George E. *Indians of the High Plains.* $6.50.
Hyde, George E. *Life of George Bent.* $8.95.
Irving, Washington. *A Tour on the Prairies.* $2.95.
Knight, Oliver. *Following the Indian Wars.* $8.95.
McReynolds, Edwin C. *Oklahoma: A History of the Sooner State.* $6.95.
McReynolds, Edwin C. *The Seminoles.* $8.95.
McReynolds, Edwin C. *Oklahoma: The Story of Its Past and Present.* $4.95.

Marcy, Randolph B. and G. B. McClellan. *Adventure on Red River*. $4.50.
Marriott, Alice. *The Ten Grandmothers*. $5.95.
Mathews, John J. *The Osages*. $15.00.
Mathews, John J. *Wah'Kon-Tah*. $5.95.
Moore, Ethel and Chauncey Moore. *Ballads and Folk Songs of the Southwest*. $15.00.
Moorman, Lewis J. *Pioneer Doctor*. $5.95.
Nye, Wilber S. *Bad Medicine and Good*. $7.95.
Pourtales, Count. *On the Western Tour with Washington Irving*. $5.95.
Rogers, Will. *Ether and Me Or Just Relax*. $6.50.
Shirley, Glenn. *Shotgun for Hire*. $4.95.
Tixier, Victor. *Tixier's Travels on the Osage Prairies*. $8.95.
Wallace, Ernest and E. A. Hobel. *The Comanches*. $7.95.
Whipple, Amiel Weeks. *Pathfinder*. $8.95.
White, E. E. *Experiences of a Special Indian Agent*. $2.95.
Woodward, Grace Steele. *The Cherokees*. $7.50.
Wright, Muriel H. *A Guide to the Indian Tribes of Oklahoma*. $6.95.

PAPERBACK

Bell, Robert E. *Oklahoma Archaeology*. $1.95.
Canton, Frank M. *Frontier Trails*. $2.95.
Collins, Ellsworth and A. M. England. *The 101 Ranch*. $2.95.
Foreman, Grant. *The Five Civilized Tribes*. $3.95.
Foreman, Grant. *Sequoyah*. $1.50.
Gibson, Arrell M. *The Chickasaws*. $3.95.
Gibson, Arrell M. *Wilderness Bonanza*. $4.95.
Kraenzel, Carl F. *The Great Plains in Transition*. $4.50.
Mayhall, Mildred. *The Kiowas*. $3.95.
Morris, John W. and Edwin C. McReynolds. *Historical Atlas of Oklahoma*. $2.95.
Oklahoma, University of. *The Future of the University*. $2.95.
Webb, Robert. *Reptiles of Oklahoma*. $3.95.
*Note—Please enclose 20¢ for each book to cover postage.

Verlin Robert Easterling
Executive Director Oklahoma Historical Society
Born, October 29, 1914—Died, January 22, 1974

He grew upon a farm in northwestern Oklahoma near Aline, attended the nearby Valley Green rural grade school, and a Free Methodist High School in McPherson, Kansas. Learning hard work on his father's farm in a portion of the Cherokee Outlet, Verlin Robert Easterling gained a love of horses which would follow him all his life. He participated in athletics and coached during his early teaching years, and later obtained a Ph.D. in history, became a college president and was commissioned a captain in the Naval Reserve. His impact upon Oklahoma may be measured in many ways, but perhaps the greatest contribution occured during the last two years of his lifetime, when, almost as if racing against time, he achieved one accomplishment after another in the development of the Oklahoma Historical Society.

The man was Verlin Robert Easterling. He was Dr. Easterling to some and Captain Easterling to others, but he never threw around the titles. He was consumed with a desire to accomplish things, and his record shows that he succeeded, again and again.

Upon graduating from Central Academy, then a high school, now a Free Methodist junior college, he entered Northwestern State College in Alva, Oklahoma, where he received his Bachelor of Arts degree in 1935, as an honor graduate and class president.

Moving to Selman, Oklahoma, where for two years he served as a teacher, principal and athletic coach, he met a freshman coed who would later play the principal role in his life—Bonnie Mae Bennett. She had not yet graduated from high school when Bob moved to Turpin, Oklahoma, to become superintendent of schools, but after his move the two started corresponding and dating. She finished high school, completed a year of college and then they were married in 1940. The next step was to the University of Colorado where, in 1941, he obtained a Master's of Arts degree in history, political science and economics.

He wanted to continue his studies toward a Doctor of Philosophy degree, but World War II intervened and Bob Easterling volunteered for the Navy. Because of his athletic and coaching background, he was assigned to the navy's Gene Tunney Physical Fitness Program, and his early service career was centered around helping young men make the physical transition to the more strenuous navy life. He rose to become a chief petty officer before he entered the Navy's Officer Candidate School. After receiving his commission, he quickly volunteered for overseas duty and spent most of the remainder of the war in the Atlantic theatre.

After his discharge from active duty in early fall of 1945, he and Mrs. Easterling, driving through Junction City, Kansas, stopped at a filling station, where the attendant casually mentioned that the town was looking for teachers. Driving to the board of education, Bob Easterling applied

and began teaching history almost immediately. In 1946, the Easterlings moved to Manhattan, Kansas, where he taught history and political science at Kansas State University, while at the same time working on a doctorate from the University of Colorado. He received his Ph.D. in 1951.

Two years later, a big opportunity came. He was offered, and accepted, the presidency of Northern Oklahoma Junior College in Tonkawa. He was thirty-eight and the youngest president in the history of the college. While at Tonkawa, Dr. Easterling was responsible for extensive growth and development in all aspects of campus activities, and executed a four phase building program. After twelve years at Northern Oklahoma Junior College, during which time enrollment increased from 200 to 1,000 students, Dr. Easterling accepted the opportunity to move to a key post in a four-year university and became operations vice president of Wichita State University. He remained in this capacity two years and was responsible for all phases of college life except academics.

In 1965, he accepted the opportunity to organize and serve as president of the Associated Colleges of Central Kansas, with headquarters in McPherson, Kansas. Here he served six private colleges in the area, organizing centralized services, joint programs and combined efforts in the development of funding. His work took him often to all six campuses as well as to Washington, D.C. and other major cities.

In 1970, he moved to Albuquerque, New Mexico, where for two years he served as the Executive Director of the New Mexico Heart Association.

It was from this post that he was called to return to Oklahoma to become Executive Director of the Oklahoma Historical Society in December, 1971. He entered this work with as much enthusiasm as he had shown more than thirty-five years earlier when he first came to Selman, Oklahoma. Time was taking its toll, however, it did not affect his work. If anything, he pushed himself harder, perhaps with the subconscious feeling that there was so much to do and so little time to accomplish his goals.

He knew he was in trouble physically a year before his death, but even among his closest associates at the Oklahoma Historical Society few knew about it—and most who did learned by accident. He did not want people to know because he did not want to be catered to in any way that would hinder his work. There was too much to be done.

By New Year's day of 1974, the word was out. Dr. Robert Easterling was to have three arterial surgeries. On the morning he was to enter the hospital —January 9, 1974—he invited the staff of the Oklahoma Historical Society for coffee and doughnuts, but, regardless of the seriousness of his personal life, he kept the meeting light and jovial. He left them laughing, just as he

wished it, and entered the hospital that afternoon. His friends never saw him again.

He leaves his wife, Bonnie, and two daughters, Connie and Verla, both students and living at home. He also leaves two older sons, each following in their father's footsteps. Robert is a teacher, living in Albuquerque, New Mexico. Lael is a naval officer, stationed in Charleston, South Carolina. Dr. Easterling is also survived by three brothers and three sisters.

Pendleton Woods

BOB EASTERLING: A TRIBUTE

Delivered by George H. Shirk at the V. R. Easterling Memorial Service January 25, 1974

A long time ago, a very renowned teacher—we refer to him as Ecclesiastes—among other things, said "For everything there is a season, and a time for every purpose under heaven." Using those same words, not perhaps exactly as the teacher meant them, but in a manner very applicable and very appropriate, there was indeed a season and a purpose for Dr. Easterling coming to the Oklahoma Historical Society as he did at the close of 1971. And if there ever was a season—a bright season—for the Oklahoma Historical Society, and its work in Oklahoma, it has been those two years since then.

Bob had the uncanny distinction of recognizing the difference between history and heritage; and indeed there is a difference. History is somewhat like the multiplication table—there it is, with its numbers and facts and sums and so on; and its integrity is not something that is subject to change through the years. On the other hand, heritage is really the flesh and the smile, the personality and color, and all the rest, of everything that you and I treasure. Even not withstanding that our state is still in its first hundred years of its existence, Bob was able to recognize and distinguish both the necessity and requirements of history and the value and importance of heritage.

Our directors are not unmindful of what he has accomplished within just two years by his dedication to our heritage and his knowledge of our history. It would take a long list to read them off and I certainly know that you don't expect me to do that. But just a few: and as you drive around over our state, even right here in Oklahoma City, in fact within a block of where we now are, you may see the lasting monuments to Bob's last service to us all.

The Overholser Mansion was acquired while Bob was our director and through arrangements he had made. I am sure one of the things of which

he was most proud is the Frank Phillips Home in Bartlesville. He worked long and hard on that and I have heard him recount some of the nip and tuck problems he had in concluding all the details. The monthly art shows at the Historical Building; putting Fort Towson into its present orderly condition and really something of worth as part of our heritage; the new construction at Fort Washita; and the development of the statewide historic preservation plan are others.

The heritage of our state is so much the better, is much more lasting, is much more meaningful and it certainly carries a deeper and more profound message for all the two and a half million people in Oklahoma because of Bob.

Two incidents to point up a final thought. At our last Board meeting Bob was with us—happy and bouncy, eager to tell us things he was doing, asking for our cooperation to see that more and more things could be done. We now appreciate how productive were those seventeen-hour days of his. They will be hard to keep up with, and at our next Board meeting he will not be there. At the last meeting of the Indian Territory Posse of Oklahoma Westerners, which was just within the month, Bob put on the program. It was one of the best programs we ever had. It was about Western music and Western song. As I now look back, favorites such as "Home on the Range" will never again sound any better than the way it was presented that night. At our next meeting, a week from this Friday he will not be there, yet to us he indeed will be there.

Awhile back a man named Robert Ingersoll, upon the death of his younger brother, an unexpected loss, and while standing by the open grave, tried to reconcile for himself a reason such as I'm trying to right now. Why Dr. Easterling would be at our last Board meeting but not at the next one, or be at the Westerners last time, but not the next time. Ingersoll finally put it this way, saying, "And after all it may be best, just in the happiest, sunniest hour of all the voyage, while eager winds are kissing every sail, to dash against the unseen rock, and in an instant hear the billows roar above a sunken ship."

I feel certain those are somehow our thoughts today, the thoughts of the Board, of the devoted staff of the Historical Society and his friends here today in their regard for and their love for Bob. My sister and I were the only guests of the staff at their Christmas party. It was a thrill—and I know Bonnie shared it with us—to see their regard and their feeling for their boss. So after all, it may be best for all of us to be able to say that in the happiest, sunniest hour of all of Bob's contribution to the heritage of our state, he laid down his tools as a master craftsman.

☆ BOOK REVIEWS

RANGELAND MANAGEMENT FOR LIVESTOCK PRODUCTION. By Hershel M. Bell. (Norman: University of Oklahoma Press, 1973. Pp. xv, 303. Illustrations. Maps. Tables. Charts. Bibliography. Index. $7.95.)

As the cost of meat steadily spirals upward, livestock producers who can maximize their output while simultaneously holding down their costs are destined to turn their ranching enterprises into highly profitable businesses for the first time in more than a decade. One tool they could easily employ would be Hershel M. Bell's *Ranchland Management for Livestock Production*, for it is an effective combination of college textbook and ready reference work on the vegetation that most efficiently supports livestock production and weight gain.

Pointing out that it takes a pound of grass to produce a pound of meat, Professor Bell extols ranchers "to read the landscape" so that they might blend their operations with the topography and, thereby, maximize the potentials of their operations. The infinite variety of rangeland in the United States, from the creosote brush country of the arid Southwest to the lush meadows of the rolling plains and highlands of America, the author insists, can sustain profitable livestock production—should the stockman combine the right animal and the right vegetation with his environment. Sierra Club members would echo his advising ranchers against over-using the range during periods of drought; to graze intensively under such conditions would only result in "plant retrogression, [and] other less-desirable plants will move in. . . ." Professor Bell's message is clear and simple: the land is an exhaustible resource that should be cherished, protected, and managed—lest its ability to sustain livestock production be depleted irrecoverably.

Nevertheless, one can find points for criticism in this attractive volume. The term management, as so prominently used in the work's title, demands more than the empirical treatment that Professor Bell offers. The cost of maintaining the range, the returns to unmanaged versus managed landscapes, the economic wisdom of improving the vegetation, and so forth, could have been bolstered with clinically cold numbers to underscore the impact of the book for the nonacademic reader. Occasionally awkward grammar and syntax obtrude, as when the author states: "With a progressive upward trend in range condition, livestock production will gradually improve also." Most writers would have insisted on separating the double adjective with a

comma, or at the very least in transforming "progressive" into an adverb. Moreover, one wonders when reading the sentence if the "upward trend in range conditions" is an intended double entendre, or a mere slip of the pen. And, almost all residents of the South Plains now acknowledge that the name of that school in Lubbock is Texas Tech University and not Texas Technological University, as the author insists in his preface.

Notwithstanding, the nitpicking, I congratulate Professor Bell for composing a worthwhile volume that will become a handbook for ranchers, environmentalists, and students of flora of the Southwest. The work's black and white photographs alone justify its purchase, for they show what man has done and can do.

J. M. Skaggs
Wichita State University

DESTINY ROAD: THE GILA TRAIL AND THE OPENING OF THE SOUTHWEST. By Odie B. Faulk. (New York: Oxford University Press, 1973. Pp. xii, 232. Illustrations, maps, bibliography, index. $7.50.)

The title is a nice piece of word fun by Professor Faulk who in the past few years has become the Southwest's most prominent chronicler. The subtitle explains the subject of the book.

The Gila Trail was the southern route across the continent to the west coast, opened during the Mexican War and used extensively to reach the gold fields during the following decade. It was named because a large portion of the route dogged through arid Arizona along the thin trickle of the Gila River. Although it was not as well-known to modern Americans as some other trails, in its day it was easily one of the most important. It stretches from El Paso via Deming and Lordsburg, New Mexico, to Tucson; thence up to the Gila River, down to Yuma, and across the Anza-Borrego desert to Los Angeles. A traveller can follow it fairly closely along Interstate 10 and Interstate 8.

In eight readable chapters *Destiny Road* narrates the history of this important artery of the Southwest. A ninth and final chapter puts the story in perspective.

The first chapter is the story of the opening of the trail as Cooke's Wagon Road. Philip St. George Cooke, then an officer in the United States Army, was detailed by Stephen Kearny to conduct a battalion of Mormon volunteers during the Mexican War from the Salt Lake area through New Mexico and the Southwest to California. This episode, curiously, is one of the most written about in all American history. Faulk traces their adventures

as well as the route they followed not so much with meticulous detail as with interesting detail.

Cooke's route reached into what was to be part of Mexico after the Treaty of Guadalupe Hidalgo and stayed south of the Gila River to the Yuma Crossing. The second chapter explains the Gadsden Purchase, partly to obtain this route and partly to settle the otherwise unresolvable boundary controversy created by the Treaty of Guadalupe Hidalgo. Professor Faulk is the best-qualified historian in the country for this task as his book, *Too Far North, Too Far South* is the definitive study of this controversy.

The next three chapters describe the utilization of the trail during the gold rush, with lively vignettes of the best-known of these westward journeys. The establishment and operation of the romantic, but then quite important, Butterfield Overland Mail and Stage consumes a chapter; and another chapter provides the best description of the pre-Civil War freighting business this reviewer has seen. A chapter is devoted to the Civil War on the trail, and two chapters deal with the post-war era. "Steel Rails at Last," the eighth chapter dramatizes the building of the transcontinental Southern Pacific from the national viewpoint, yet manages to focus clearly on the route itself. The last spike was driven on January 12, 1883.

The final brief chapter of the book evaluates the great importance of the Gila Trail to the development of the Southwest. Faulk makes an interesting comparison between the American Southwest and the Australian Outback to show how vital such a transportation and communication link was.

The book is adequately documented and concerns a subject of which Faulk is the master. There can be no question of his superior scholarship and understanding. His previous books and articles on various topics of the history of the Southwest give added luster to this little gem of western Americana. A worthwhile bibliography, useful maps, and almost a plethora of illustrations will make collectors itch to acquire it.

Seymour V. Connor
Texas Tech University

STANLEY VESTAL: CHAMPION OF THE OLD WEST. By Ray Tassin. (Glendale: The Arthur H. Clark Company, 1973. Pp. 299. Illustrations, Bibliography, Index. $11.00.)

Environmental determinists could find strong support for their thesis in Ray Tassin's *Stanley Vestal: Champion of the Old West.* In his straightforward narrative Tassin recreates the influences and events that shaped Vestal's life.

The facts were these: Born August 15, 1887, on a homestead claim near Severy, Kansas, Vestal grew up in the frontier town of Guthrie, Oklahoma Territory. He made friends with Indians near Watonga as a boy, then as an adolescent living in Cheyenne-Arapaho country near Weatherford, became absorbed in Indian life and Western lore.

His own father's early death, and his mother's subsequent remarriage to J. R. Campbell, not only gave him the legal name of Walter S. Campbell, but association with an historian and educator. Because his mother was also a teacher, Walter absorbed the classics early, putting polishing touches on Greek and Latin at Southwestern Normal School at Weatherford where his step-father was first president. This not only helped him become one of Oklahoma's first Rhodes Scholars, but influenced his work as a writer.

After graduation from Oxford University in 1911, Walter taught high school in Louisville, Kentucky; however, his burning ambition was to write about the West he loved.

He returned to the plains of Western Oklahoma to write, and then in 1915 joined the faculty of The University of Oklahoma, where he stayed, except for brief military service during World War I, until his death on December 25, 1957.

During those forty-two years, Campbell, whose pseudonym became Stanley Vestal, produced a prodigious number of books and articles about Indians, scouts, explorers and writing techniques. Through his courses in professional writing he influenced a whole generation of Oklahoma writers.

Most of Tassin's critical analysis of Vestal's works rests in his Introduction. Those knowledgeable would probably agree with Tassin that Vestal's "greatest single achievement" was his biography, *Sitting Bull: Champion of the Sioux*. But some writers would probably challenge Tassin's remark that ". . . Vestal was a better historian than a writer. . . ." Some historians might challenge the statement, too.

But regardless of any interpretative disagreements, Tassin's extensive research and his resultant portrait of Vestal's life has filled an important gap in Western Americana.

Julee Short
Oklahoma City

THE LIFE OF TEXAS JACK. By Nathaniel Reed with Introduction and Notes by Glenn Shirley. (Quannah, Texas: Nortex Press, 1973. Pp. xxii, 66. $4.95.)

The folklore of outlaws is loaded with tales of valor and of deeds that are grossly exaggerated or never occurred. Often these tales have come from

the imagination and tall tale ability of the alleged participant. Nathaniel "Texas Jack" Reed did not make the ranks of folklore, but his stories about his deeds on the frontier match those of many folk characters of the West.

Glenn Shirley is "The" authority on criminals, crime and lawmen of the Southwest, and he has researched the life of "Texas Jack" and the events in which Reed claims to have participated. After having met "Texas Jack" in 1938, Shirley decided that Reed's stories were false, but some ten years later while going through newspapers and court records, he discovered that some of his stories were valid. "Texas Jack" had, indeed, been an Indian Territory outlaw.

"Texas Jack" wrote a thirty-eight page tract about his crimes and eventual religious conversion that was first printed in 1901; however, by 1938 he had expanded his story to fifty-five pages. It is this last version that the author has researched and reprinted. His introduction and footnotes reflect the questionable aspects of either a faulty memory or a vivid imagination of an elderly ex-outlaw. Only sketchy phases of "Texas Jack's" life are included, but it is a credit to Shirley to have been able to ferret out as much as he did about this obscure, minor figure. Also, he has footnoted each event of crime in which Reed claims to have been a participant.

"Texas Jack" wrote that in the summer of 1894, he had "seven fights with the marshals and got wounded four different times;" this was his busiest year. His exploits and life of crime came to an end in late 1894, when he was wounded during an attempted train robbery near Muskogee in the Creek Nation. In the spring of 1895, he surrendered and eventually was sentenced to five years in jail, but was paroled in late 1896, due to his cooperative testimony against other outlaws. Reed's life was changed in 1895, when "God came to me and picked me up;" the rest of his life was devoted to working for the "Lord" against the evils of crime. His story and style are similar to other outlaw tracts that have been written by "eyewitnesses" or "the outlaw."

The various printings of Reed's life are virtually impossible to find. This reprint with explanatory material makes it available and is a worthy addition for Oklahoma and Western Americana collections. Even though "Texas Jack" was not a good writer, his narrative is interesting and does provide a rare insight into the structure and internal activities of an Indian Territory outlaw gang. Shirley has provided a depth of understanding to Reed that is compassionate and interesting.

Guy Logsdon
University of Tulsa

☆ FOR THE RECORD

MINUTES OF THE QUARTERLY MEETING OF THE BOARD OF DIRECTORS OF THE OKLAHOMA HISTORICAL SOCIETY: October 25, 1973

The Board of Directors of the Oklahoma Historical Society met for the October quarterly meeting at 10:00 a.m., October 25, 1973 in the Board Room.

The roll call was made by Dr. V. R. Easterling, Executive Director of the Society. Present were Lou S. Allard, Henry B. Bass, Mrs. George L. Bowman, Q. B. Boydstun, O. B. Campbell, Joe W. Curtis, Harry L. Deupree, M.D., W. D. Finney, Dr. LeRoy H. Fischer, Bob Foresman, Mrs. John Frizzell, E. Moses Frye, Denzil D. Garrison, Dr. James Morrison, Fisher Muldrow, H. Milt Phillips, Earl Boyd Pierce, Jordan B. Reaves, Miss Genevieve Seger, George H. Shirk and H. Merle Woods. Those members who had asked to be excused were Nolen J. Fuqua, Dr. A. M. Gibson, John E. Kirkpatrick and W. E. McIntosh. Mr. Curtis moved to excuse the absent members. The motion was seconded by Mr. Bass and passed.

Dr. Easterling asked that the Minutes of the July meeting stand as approved. He then spoke of the Jim Thorpe home dedication Sunday, September 16. Former Oklahoma State University football coach Jim Lookabaugh was the speaker for the occasion, and among the guests were Jim Thorpe children and Mr. Henry Roberts, who had played on the team at Carlisle with Thorpe.

The list of sixty-seven applications for membership was presented by Dr. Easterling. The list included two new life members—Robert H. Anthony and Edward A. Shaw. The gift lists were also presented. Miss Seger moved to elect the applicants to membership and to accept the gifts. Motion seconded by Mr. Phillips, and approved.

In her Treasurer's Report, Mrs. Bowman advised the Board that money received by the Society is now deposited daily in the State Treasurer's office as directed by that office and that these deposits are then transferred to the Revolving Fund Account 200.

Mr. Ed Haworth, a member of the staff of the Microfilm Division, died in September. Mr. Phillips told the Board that Mr. Haworth had worked for the Society since 1957, and moved that a letter to Mrs. Harriet Haworth,

widow of Mr. Haworth, be prepared for the signature of the President and the Vice President expressing the Society's appreciation for his long years of service. Mr. Allard seconded the motion and it was passed.

Mr. Shirk gave the Publications Committee Report. He told of the preparations being made for the reprinting of *Historia*, forerunner of *The Chronicles of Oklahoma*. The University of Oklahoma Press is printing 1,000 copies for sale. Three-fourths of the expense will be funded by the Society, and the balance of the cost will be absorbed by the sale price. Mr. Shirk commended Dr. Kenny Franks, new editor of *The Chronicles*, for his management of the reprinting and for his fine work on *The Chronicles*.

Mr. Shirk also referred to the Society's newsletter, *Mistletoe Leaves*. The title of the newsletter is derived from the Society's first publication printed in 1907 and 1908. Mr. Pendleton Woods and Dr. Easterling are producing the newsletter.

Dr. Fischer announced that the Museum Committee would meet following the Board Meeting. He spoke of the efforts of the Museum staff to improve the quality of the Museum.

Dr. Easterling added to the report by informing the Board members of plans for the opening of the Oklahoma Territorial Museum at Guthrie on November 16, 1973. There will be a re-enactment of the symbolic wedding of Miss Indian Territory and Mr. Oklahoma Territory which took place on the steps of the former Carnegie Library at the time of the first inaugural in 1907.

Mr. Curtis advised that a luncheon-meeting of the Library Committtee would take place immediately following the Board meeting at the Quality Inn Lincoln Plaza.

Mr. Boydstun called upon Dr. Easterling to report on a fact-finding trip Dr. Fischer, Dr. Easterling and Mr. Reaves had made to Civil War battle sites in Arkansas—Wilson Creek and Pea Ridge. Both of these sites are under the National Park Service and have been restored in a manner befitting their importance in the Civil War. It is hoped that Oklahoma's Honey Springs Battlefield will some day be transferred to the Park Service by legislation.

Mr. Foresman gave a report of a meeting held by the Heritage Club of Tulsa's Memorial High School. Heritage Clubs throughout the state are sponsored by the Education Committee and the Education Division of the Society. Mr. Foresman was impressed by the enthusiasm of the students and by the knowledgeable questions asked of him as the speaker for the meeting. Mr. Foresman urged each of the Board members to promote Heritage Clubs in their own communities, and suggested the need for another staff member to work with schools throughout the state.

Mr. Charles E. Cummings was a guest of the Board and was introduced as the new chairman of the Heritage '76 Committee of the Oklahoma American Revolution Bicentennial Commission.

Mr. Reaves introduced Mr. Hampton as the new assistant curator of the Confederate Room. Both Mr. Reaves and Mr. Hampton invited the Board members to visit the redecorated room.

Mr. Shirk told the Board of the illness of Mr. John Frizzell, husband of Director Mildred Frizzell.

The resumption of the Annual Tour program will take place October 27–28, according to Tour Committee Chairman, Dr. Deupree It is to be a combination historic site and foliage tour through the southeastern part of the state. The Denner World Travel Agency chartered the bus.

Mr. Bass and Mr. Shirk reported on their recent cruise of the *Delta Queen*, a Mississippi riverboat, sponsored by the National Trust for Historic Preservation. Mr. Shirk spoke of the possibility of engaging the *Delta Queen* for a trip into Oklahoma on the Arkansas Navigation system to the port of Catoosa. This would require the joint sponsorship of the National Trust and the Oklahoma Historical Society, for the voyage from Vicksburg to Catoosa and to return to Vicksburg. In addition to the regular fare a gratuity of approximately $50.00 each way would be included as a contribution to the Oklahoma Historical Society. Mr. Shirk asked for authority to negotiate for the *Delta Queen* preferably in September of 1974. Mr. Reaves placed the request in the form of a motion, it was seconded by Mrs. Bowman, and was passed.

Praise for the work done by Mr. Reaves and Mr. Hugh Hampton in the Confederate Room was given by Dr. Fischer. Their efforts have done a great deal toward the improvement of the museum.

The Nashert Construction Company, the contractors for the restoration of Old Central, are uniquely qualified to do this work, according to Dr. Fischer. The company is tremendously interested in restorations, and Dr. Fischer said he felt they were doing an excellent job in the renovation of the Oklahoma State University building. Dr. Fischer displayed a series of photographs of various stages of this project. He estimated it would be completed in two or three years.

Dr. Fischer extended a personal invitation to members of the Board and their spouses to attend an open house in his home in Stillwater, co-hosted by Mr. Frye, following the OSU-OU football game December 1. Mr. Shirk voted in behalf of the Board to accept the invitation.

Mr. Reaves made the announcement that the Council on Abandoned Military Forts have recognized the efforts of the Oklahoma Historical So-

ciety in the rehabilitation of Fort Washita. The Council had asked to present an award to Mr. Shirk on behalf of the Society at a recent meeting held at Fort Sill. In Mr. Shirk's absence, the honor was received by Mr. Reaves from Colonel O. W. Martin, Jr., president of the Council. The Council was most complimentary of the work of the Society at Fort Washita. Mr. Reaves then presented and read the Resolution. Mr. Shirk asked that a replica be made for display at Fort Washita, and that notification be given to Mr. Ward Merrick. Mr. Reaves suggested that the Council be sent a letter of appreciation from the Society. Mr. Phillips moved to accept the Resolution; an amendment was made by Dr. Fischer to include the Resolution in *The Chronicles of Oklahoma*. Mr. Bass seconded the motion as amended, and it was passed.

Mrs. Frizzell reported on the plans for the special dinner honoring Dr. Muriel H. Wright. She advised that the Committee in charge of planning had chosen the October 25 date (the same date as the quarterly Board meeting) for the dinner in order that more of the Board members would be in Oklahoma City and would be able to attend. Mrs. Frizzell commended Mr. and Mrs. Reaves for their assistance with the planning, and the Oklahoma Publishing Company for the use of the picture of Dr. Wright which had appeared in the *Orbit* section of *The Daily Oklahoman* in 1969. A color reproduction of this picture will appear on the dinner program. Mrs. Frizzell thanked the members of the Committee for their cooperation.

Mr. Shirk announced to the Board members the arrangements which had been made to create a Muriel H. Wright Heritage Endowment to be administered by the Oklahoma City Community Foundation, Inc. without charge. This Foundation will present an annual $300 award to the author of an article appearing in *The Chronicles* which best typifies the historical excellence Miss Wright brought to *The Chronicles*. To do this the fund will be built to $5,000, with earnings in perpetuity. Mr. Shirk asked the Board to formalize a contract with the Oklahoma City Community Foundation, Inc. to manage this fund. Mr. Muldrow so moved, Mrs. Bowman seconded and the Board approved. Checks are to be made to the Oklahoma City Community Foundation, which will prepare a formal announcement of the fund.

The Auditorium of the Historical Building is being utilized for educational purposes for school groups, according to Dr. Easterling. He spoke of the Thursday evening and Sunday afternoon lecture series inaugurated this fall and held in the auditorium. A motion was made by Miss Seger to repeal a previous action of the Board to close the use of the auditorium to the public. Mr. Boydstun seconded the motion and it was passed.

Mr. Shirk directed the Board's attention to the Society's Commissions and Committees, reading the current list of members.

Speaking in behalf of the Executive Committee, Mr. Shirk laid before the Board a proposal to appoint an Operating Committee whose responsibility would be directly to the Executive Committee in detailed review, supervision and operation of the Society, working with Dr. Easterling to implement the decisions of the Executive Committee. Mr. Phillips moved to give Mr. Shirk the authority to create an Operating Committee. Mr. Allard seconded the motion and it was passed.

Mr. Shirk appointed Mr. Reaves to the Executive Committee, to fill the vacancy left by Mr. Curtis who has resigned from the Committee. He appointed Mr. Phillips, Dr. Fischer and Mr. Reaves to the Operating Committee. The Honorable Ed Edmondson, Senator Tom Payne, and Representative Leo H. Wynn were appointed to the Honey Springs Commission.

Mr. Shirk reported on his meeting with the vestry of the Washington Square Episcopal Church, owner and operator of the Congressional Cemetery in Washington, D.C. Peter P. Pitchlynn and Pushmataha are buried in this cemetery; and the vestry has offered the Oklahoma Historical Society the two bodies and tombstones to return to Oklahoma to be re-interred. Mr. Pierce suggested that perhaps members of other tribes buried in the cemetery might also be returned to Oklahoma. It was moved by Mr. Phillips that the President be authorized to implement the plan. It was seconded by Dr. Fischer and upon a vote, the motion was adopted.

Mr. Shirk announced that Colonel William Pogue, USAF, of Oklahoma is one of the three astronauts on board Skylab III, scheduled for a November launch. Arrangements were made by Mrs. Frizzell to design a special flag for the trip in honor of all Indian tribes represented in Oklahoma. Miss Wright dictated the design to artist Don McGibbon. One hundred silk screen flags were made from this copyright design, one to be placed aboard the flight and the remaining ninety-nine to be sold. They will be numbered and certified by the Society as replicas of the Skylab III flag. Mr. Allard moved to approve these arrangements. Mr. Pierce seconded, and the motion passed.

Dr. Fischer reported that his Awards Committee had not had the opportunity to familiarize itself with the Awards program, and asked for permission to bring the report before the January meeting. Permission was granted.

Dr. Fischer referred to the plaque which had been presented to Mr. Shirk at the time of the dinner honoring him in May of 1973. Dr. Fischer asked to make arrangements to have the plaque engraved.

Mrs. Louise Cook, Newspaper Librarian, was approved for the Society's

Certificate of Commendation. Mrs. Cook will be retiring after thirty-one years with the Society, reported Mr. Shirk.

Archivist Rella Looney had submitted to Dr. Easterling the name of Mr. Jack D. Baker for the Commendation Certificate in recognition for his research of the Cherokee tribe. Mr. Reaves submitted the name of Mr. Herbert E. Fisher for his generous financial contribution to the refurbishing of the Society's Confederate Room. Mr. Curtis moved to award the Certificates; the motion was seconded by Miss Seger, and passed.

Mr. Woods gave a brief report of the progress to the Canadian County Historical Society Museum in El Reno and expressed the hope of that Society to expand the El Reno cemetery to national status. Mr. Woods presented a formal Resolution and moved its adoption. The Resolution is made a part hereof. The motion was seconded by Miss Seger. The Board approved.

Mr. Pierce moved that the Board express commiseration to the city of Enid and towns in that area who met with heroic spirit the great emergency that befell their section of the state in September's devastating floods. Mr. Frye seconded this motion, which passed unanimously. Mr. Bass, Enid Board member, thanked the Board for its thoughtfulness.

Mr. Shirk announced to the Board members that the widow of Admiral J. J. "Jocko" Clark has asked the President of the United States, as well as navy and defense officials to name the next aircraft carrier to be launched in honor of Admiral Clark. Mr. Pierce has visited with Hamilton Fish and Washington leaders to see that this is done, and was certain that the Navy Department would appreciate an appropriate resolution that the wish of Mrs. Clark be fulfilled. Mr. Pierce placed this request in the form of a motion, seconded by Mr. Frye, and the motion carried. Mr. Pierce was asked to prepare the Resolution.

Mr. Allard inquired about the possibility of constructing a suitable storage building in the back of the Jim Thorpe home. This would provide space for future donations of artifacts of Thorpe and the era in which the family lived in the house. He suggested that the building could be designed from drawings of Sac and Fox shelters. Mr. Campbell asked for an explanation of the Society's Museum policy regarding the acquisition and disposition of artifacts. A brief discussion followed.

Meeting adjourned.

GEORGE H. SHIRK, PRESIDENT

V. R. EASTERLING, EXECUTIVE DIRECTOR

RESOLUTION OF THE BOARD OF DIRECTORS OF THE OKLAHOMA HISTORICAL SOCIETY

Whereas, on this 25th day of October, 1973, the Board of Directors of the Oklahoma Historical Society were advised that the Department of the Navy of the United States is undertaking to build and launch a new Aircraft Carrier, and that such Carrier at a future date in all likelihood will be named in honor of a renowned American patriot, and

Whereas, said Society is informed that many prominent Americans and several patriotic organizations have suggested to the Honorable President of the United States and the Honorable Secretary of the Navy that said Aircraft Carrier at the appropriate time be named in honor of doubtless the greatest Indian-American, a duly enrolled Cherokee, the late Ardmiral James Joseph "Jocko" Clark, whose devoted services in behalf of the United States, a goodly portion of which was in direct combat against the enemies of our great country, are well known to millions of American citizens and especially to officers and men of the United States Department of the Navy, and

Whereas, the Board of Directors of this historic Society highly commend the thoughtfulness and previous action of other organizations and citizens who have heretofore recommended that this high and distinctive additional honor be conferred upon the late Admiral Clark, and our Board of Directors are grateful for the opportunity and privilege to join in this recommendation.

BE IT THEREFORE RESOLVED, that the Board of Directors of the Oklahoma Historical Society of Oklahoma City, Oklahoma, do hereby resolve, and go on record in requesting and recommending that the Honorable President of the United States and the Department of the Navy officially name the next Aircraft Carrier launched by the Navy in honor of the renowned late Admiral James Joseph "Jocko" Clark, a native of the Cherokee Nation, Indian Territory and a great American citizen.

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the Office of the President of the United States, to the Office of the Secretary of the Navy and to the late Admiral's widow, Mrs. Olga Clark, 655 Park Avenue, New York, New York.

The above and foregoing Resolution was duly presented and adopted by the Oklahoma Historical Society of the State of Oklahoma at its regular quarterly meeting at Oklahoma City, Oklahoma, on the date and year first above written.

George H. Shirk, President
Oklahoma Historical Society

ATTEST:
V. R. Easterling
Clerk
Oklahoma Historical Society

RESOLUTION OF THE BOARD OF DIRECTORS OF THE OKLAHOMA HISTORICAL SOCIETY

WHEREAS, there is a drastic need in Oklahoma for an additional National Cemetery for the interment of military dead due to the fact that the Fort Gibson and Fort Sill cemeteries are filled to capacity; and

WHEREAS, a beautiful site for such cemetery is available without cost to the government from surplus lands at the Department of Agriculture Livestock Experiment Station at the historic old Fort Reno military reservation; and

WHEREAS, this proposed cemetery could use as its nucleus the present famed, old burying ground of the early-day fighters stationed at Fort Reno or serving from that location during the plains wars, together with the burying place of some 105 German and Italian prisoners of war who perished in this state during World War II; and

WHEREAS, the proposed site has numerous great advantages due to its central location in Oklahoma, adjoining Interstate High 40 and U.S. Highways 66, 81 and 270, and only a half hour's drive from Oklahoma City and from the Will Rogers World Airport; it is a beautiful rolling tract consisting of 160 acres, with additional land available on all sides, and already has necessary utilities; it is across the highway from the U.S. Reformatory which has offered inmate labor for assistance in maintenance, and the location has numerous excellent facilities nearby for the convenience of visitors,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE OKLAHOMA HISTORICAL SOCIETY:

That the Oklahoma Historical Society hereby records its hearty approval of the establishment of the proposed National Cemetery, not only for its convenience for families of veterans but also as a means of continuing the memory and traditions of the famed old Fort Reno military establishment, and urges the Veterans Administration to designate this site for a new National Cemetery under Public Law 93-43 passed by Congress June 18, 1973.

ADOPTED this 25th day of October 1973.

OKLAHOMA HISTORICAL SOCIETY
By George S. Shirk
President

ATTEST:
V. R. Easterling
Director

RESOLUTION OF THE COUNCIL ON ABANDONED MILITARY POST—U.S.A., INC.

WHEREAS It has come to the attention of the Council on Abandoned Military Posts, U.S.A., Incorporated, that

THE OKLAHOMA HISTORICAL SOCIETY

has acquired and now preserves the site and structures of Old Fort Washita, Oklahoma, and

WHEREAS The Society and its volunteer members have accomplished a commendable degree of success in the research on the history of this post, and the preservation or reconstruction of portions of the Fort, and

WHEREAS This project and its intelligent rendition by the State Historical Society will preserve for generations yet unborn the history of the settlement of the State and the Country,

BE IT HEREBY RESOLVED That the Council

COMMENDS

The Oklahoma Historical Society for Fort Washita,

Done this 26th day of April, 1973
At West Point, New York
O. W. Martin, Jr.
President
Theodore Harris, Chairman
Resolutions Detail

Attest:
H. M. Hart, Secretary

GIFT LIST THIRD QUARTER, 1973

LIBRARY:

The World Almanac, 1868. Authentic reprint of the first edition, 1973.
Donor: Joe Todd, Oklahoma City, Oklahoma.

Mission to the Cherokees by O. B. Campbell, 1973.
Donor: Author, Vinita, Oklahoma.

History of Fort Gibson Military Park by Q. B. Boydstun, June 1973.
Donor: Author, Fort Gibson, Oklahoma.

Genealogy of the Hopping Family by Louis M. Hopping.
Donor: Author, Northville, Mississippi.

Telephone directories for Picayune, Mississippi; Popular, Mississippi; Louisville, Mississippi; Koscuisko, Ethel and McCool, Mississippi; Paris, Texas; Gainesville and Myra, Texas; Abbeville, South Carolina; Macon, Mississippi; Aliceville, Carrollton, Ethelsville, Gordo, Panola and Reform, Alabama; Bossier Parish, Louisiana; and San Antonio, Texas.
Donor: John Cheek, Oklahoma City, Oklahoma.

Oklahoma telephone directories: Ada, July, 1947; Muskogee, June, 1950; Elk City, April, 1950; Durant, Bennington and Caddo, February, 1970; Shawnee, October, 1949; Hugo, Boswell, Fort Towson, October, 1949; Seminole, August, 1949; Ardmore, February, 1950; Pauls Valley, February, 1950; Lawton, November, 1949.
Donor: Mrs. Gerald H. Kees, Oklahoma City, Oklahoma.

Your Family and Mine by Mattie Ellen Brown Trube, 1967–1973 Book Number 78.
Donor: Author, Houston, Texas.

The Family of Joseph H. and Sally Covington Smith of Warren County, Kentucky, 1807–1971, by Mildred Smith Curd Hawkins, Bowling Green, Kentucky, 1971.
Donor: State Library of Oklahoma, Oklahoma City, Oklahoma.

Genealogy of the Townshend-Townsend Family by Riley Leon Townsend, 1973.
Donor: Frances Townsend Miles of Bartlesville, Oklahoma, and the author, Oklahoma City, Oklahoma.

Cottey College of Nevada, Missouri *Bulletins*, 1965, 1966, 1967, 1968, 1969 and 1970.
P. E. O. Items.
Donor: Lucile Laws, Oklahoma City, Oklahoma.

Guide to the Processed Manuscripts of the Tennessee Historical Society edited by Harriet Chappell Owsley, 1969.
Donor: Mrs. Gladys A. Ingram, Stillwater, Oklahoma.

Chemical Engineering at Oklahoma State University 1917–1972 by Robert E. Smith, 1973.
Donor: R. N. Maddox, Stillwater, Oklahoma.

Collections of the New York Historical Society, 1914—Revolutionary Muster Rolls Volumes I and II, 1775–1783.

Marriage Notices 1785–1794 for the Whole United States by Charles K. Bolton.
Donor: George Stiers, Oklahoma City, Oklahoma.

The Thirty-Sixth in the Great War—Texas and Oklahoma National Guard.
Donor: Mrs. George Horton, Oklahoma City, Oklahoma.

B. E. Bryant Prairie Pioneer by Joe G. Bryant, 1973.
Donor: Author, Bartlesville, Oklahoma, by George H. Shirk, Oklahoma City, Oklahoma.

The First Baptist Church Bartlesville, Oklahoma 1891–1964 by Elmer J. Sark.

The Nellie Johnstone Oil Well No. 1 in Oklahoma by Elmer J. Sark.

One Hundred Years in Oklahoma: Treaty of Delaware-Cherokee Indians, 1867 by Elmer J. Sark.
Donor: Author, Bartlesville, Oklahoma, by George H. Shirk, Oklahoma City, Oklahoma.

Specifications for the Erection and Completion of High School Building in Oklahoma City, Oklahoma Territory ca 1900.

Specifications for the Hot Blast Furnace Plenum Fan System to be placed in the High School Oklahoma City, Oklahoma Territory ca 1900.

Collection of original documents concerning various buildings under the Oklahoma City Board of Education ca 1900–1910.

Donor: The estate of Martha Malone, Oklahoma City, Oklahoma, through Lewis Denny, Ames, Iowa.

The Meter, February 1952.

The Longrifleman, Volume I, Number 1, September, 1972.

Folder file of History of Capitol Hill Methodist Church.

The Capitol Hill Beacon, October 5, 1972.

Putnam City Methodist Church.

Sooner Road Community Church, Oklahoma City, Oklahoma.

First Presbyterian Church, U.S.A. Washita Presbytery.

Grandfield, Oklahoma Church, 1908–1958.

Central Presbyterian Church in Oklahoma City, April 14, 1957.

First Presbyterian Church of Oklahoma City 1889–1939; and Dedication September, 1956.

First Presbyterian Church of Mangum, Oklahoma 1902–1952.

Methodist Church, Sallisaw, Oklahoma 1848–1948.

Methodist Church, Poteau, Oklahoma.

Council Grove Daughters of the American Revolution History.

Golden Anniversary First Methodist Episcopal Church, Oklahoma City.

St. Luke's Methodist Episcopal Church, Oklahoma City, Oklahoma.

St. Paul's Cathedral, Oklahoma City, Oklahoma.

The Catholic Burial Service.

The First Christian Church of Tomorrow, Oklahoma City Dedication.

Donor: Mrs. Louise Cook, Oklahoma City, Oklahoma.

All Our Lives—Alice Duer Miller by Henry Wise Miller, 1954.

Donor: Ruth Hampton, Oklahoma City, Oklahoma.

Kith and Kin of Georgia Ridge, Crawford County, Arkansas by Mary Avilla Abel and Hall Farnsworth, 1973.

Donor: Author, Newton, Kansas, in Memory of Paula McSpadden Love of Claremore, Oklahoma.

Original Marriage Certificate of late Charles Reins Taylor and Mary Jane Jones, December 16, 1877.

Family Record Book: "Family Tree of the Children of Lattie Dee and Adah (Taylor) Parton."

Donor: James T. Goodbread, Cleveland, Oklahoma.

Oklahoma State University Graduate Catalog 1972–1973, Volume LXXII, Number 5, August, 1972.

Donor: Charlene Akers, Oklahoma City, Oklahoma.

Art Magazine—Greater Oklahoma City—The Metropolis of Oklahoma—Dedicated to the Town Builders of Oklahoma, 1899.

Donor: Miss Ruth Rogers, Larned, Kansas.

Big Wah of Seminole County by Maggie Aldridge Smith, 1970.

Donor: Author, Siloam Springs, Arkansas.

Brown Marsh Presbyterian Church—Old Church Records Clarkton, Bladen County, North Carolina by Wanda S. Campbell, 1970.

Old Trinity Methodist Church Grave Stone Records Elizabethtown, North Carolina by Wanda S. Campbell, 1971.

South River Presbyterian Church, Bladen County N. C. by Wanda S. Campbell.
Donor: Mrs. Adelia S. Sallee, Norman, Oklahoma.

Chemical Character of Surface Waters of Oklahoma 1952-1953; 1958-1959; 1961-1962.
Donor: John Peter Wilson, Oklahoma City, Oklahoma.

Clay County Courier of Corning, Arkansas Centennial Edition June 28, 1973; July 5, 1973; July 12, 1973; and July 19, 1973.
Donor: Flo Gates, Midwest City, Oklahoma.

Matrix—Women in Communications, Summer, 1973; containing article, "Newswomen in Congress" by Hope Chamberlin regarding Oklahoma's Alice M. "Miss Alice" Robertson.
Donor: Hope Chamberlin, Washington, D.C.

One Line of Descent—Thomas Alley, Jacob Need and Allied Lines compiled by Flossie Schofield, August 1973.
Donor: Mrs. Flossie Schofield, Neodesha, Kansas.

Osage County Oklahoma Rural Directory 1973.
Donor: Wendell Shaw, Pawhuska, Oklahoma.

Military Service of Nine Brothers in the Cause of American Independence by Lester L. Roush, D.D.
Donor: Author of Gallipolis, Ohio.

The Descendants of John Frederick Sivert and Martha Curtis Sivert by Estelle Enos Bates, 1973.
Donor: Mrs. O. D. Bates, Irving, Texas, in honor of the John Thomas Bates family, Midwest City, Oklahoma.

Texas County, Oklahoma Pioneer Family History Lunsford, James F. and Della, September 30, 1973, by Allie M. Mitchell.
Donor: Mrs. Roy B. Mitchell, Guymon, Oklahoma.

Box of clippings of early-day Oklahoma and Oklahoma City.
Donor: Mrs. O. O. McCracken, Oklahoma City, Oklahoma, by George H. Shirk, Oklahoma City, Oklahoma.

Lake Eufaula Guide, 1972.

A Selected Bibliography of Missouri Archaeology by Randy L. Cottier, Susan B. Traub and Don C. Traub, 1973.

Midland Bank Review, May 1973.

Historic Preservation: A Bibliography by Gary L. Menges.

Prehistoric Man at the Lowrance Site of Murray County by Don G. Wyckeff and Lyonel Taylor.

Guidebook to Diplomatic Reception Rooms—Department of State, Washington, D.C., January, 1973.

Names—Journal of the American Name Society, Volume XXI, Number 2, June, 1973.
Donor: George H. Shirk, Oklahoma City, Oklahoma.

1880 Mortality Schedule of Shawnee County of Kansas Deaths Occuring Between June 1, 1879 to May 31, 1880, compiled by Helen Franklin and Thelma Carpenter.
Donor: Dorothy DeWitt Wilkinson, Oklahoma City, Oklahoma, for Oklahoma Genealogical Society.

PHOTOGRAPH SECTION:

Two unidentified photographs taken ca 1890.
Donor: Mrs. Mike Offutt, Oklahoma City, Oklahoma.
Postal Card of Dillard, Oklahoma ca 1920.
Donor: Idaho State Historical Society Curator of Collections, Boise, Idaho.
Choctaw Indian Telephone Code Squad in World War I organized from Company E, 142 Infantry, 36th Division of American Expeditionary Force showing Joe Davenport, Mitchell Bobbs, James Edwards, Calvin Wilson and Taylor Lewis.
Two panoramic views of 142nd Infantry of World War I at Chateau de Vaus, France and including Joe Davenport.
Personnel Roster of U.S. Army 358th Infantry, Company F at Camp Travis, San Antonio, Texas 1917.
Donor: Mrs. Maude Davenport Horton, widow of Joe Davenport, Oklahoma City, Oklahoma.
Laying of Cornerstone of Oklahoma State Capitol Building, November 16, 1915 by Masonic Order and Showing Nathan Francis Bourne in group.
Donor: Mrs. Margaret Bourne Salsgiver, daughter of N. F. Bourne, Oklahoma City, Oklahoma.
First Federal Grand Jury at Lawton, Oklahoma.
Donor: Mrs. Sam Payne, Oklahoma City, Oklahoma.
First Prize Float in Labor Day Parade, September 5, 1921 in Hartshorne, Oklahoma.
Donor: Mrs. Thomas Lankford, Oklahoma City, Oklahoma.
Three unidentified photographs relating to Minco, Indian Territory ca 1900.
Donor: Leonard Ball by George H. Shirk, Oklahoma City, Oklahoma.

INDIAN ARCHIVES DIVISION:

Dissertation "Stand Watie and the Agony of the Cherokee Nation" by Kenny Arthur Franks.
Donor: Author.
Dissertation "John Ross Cherokee Chief" by Gary Evan Moulton.
Donor: Author.
Marriage certificate dated December 16, 1877, of Charles Reins Taylor and Mary Ann Jones, Skullyville County, Choctaw Nation.
Donor: James T. Goodbread, Cleveland, Oklahoma.
Book "Mission to the Cherokees, Dwight Mission since 1820" by O. B. Campbell.
Donor: Author.
Newspaper article, July 1973, with "McClain Historical Museum Open, Growing."
Donor: Mrs. Francis X. Hesse, Purcell, Oklahoma.
Texas Libraries, Spring 1973.
Donor: Texas Library & Historical Commission, Austin, Texas.
Georgia Genealogical Society Quarterly, The, Fall 1972, with 1832 Census of Lower Towns, by Abbott.
Donor: James M. Puckett, Jr., Atlanta, Georgia.
Report of quarterly meetings of Inter-Tribal Council of Five Civilized Tribes held April 13, and July 13, 1973.
Donor: Muskogee Area Office, Muskogee, Oklahoma.
American Indians on Maricopa-Ak Chin Indian Reservation v. U.S., Docket Number 235: Opinion; Findings of Fact; Order.

Mescalera Apache Tribe v. U.S., Docket Number 22-G: Order.
Bay Mills Indian Community, et al., Docket Number 18-E, and Ottawa & Chippewa Indians, Docket Number 58: Findings of Fact; Order.
Cherokee Nation & Cherokee Freedmen, Docket Numbers 173-A and 123: Order.
Minnesota Chippewa v. U.S., Docket Number 18-T: Findings of Fact; Order.
Minnesota Chippewa, et al v. U.S., Docket Numbers 19, 188 and 189A, B and C: Opinion; Order.
Saginaw Chippewa v. U.S., Docket Number 57: Final Award.
Saginaw Chippewa, et al vs. U.S., Docket Numbers 59, 18J, 29E, 133B, 140 and 29E: Opinion.
James Strong, et al for Chippewa Tribe, et al vs. U.S., Docket Numbers 18E & L, 27E, 29D, 89, 133A, 139, 202 and 302.
James Strong, et al, for Chippewa Tribe, et al vs. U.S., Docket Numbers 13E, 18L, 27E, 29D, 89, 133A, 139, 202, 302, 341C, 13F, 15-I, 18K, 27, 29G, 64A, 133C, 141, 308 and 341D: Order; Opinion; Order.
James Strong, et al, for Chippewa Tribe, et al vs. U.S., Docket Numbers 13G, 15E, 18M, 27B, 29C, 40F, 64, 89, 120, 130, 252, 335 and 338: Opinion; Findings of Fact; Final Order; Order.
Cowlitz Tribe v. U.S., Docket Number 218: Order.
Creek Indians v. U.S., Docket Number 273: Order.
Goshute Tribe v. U.S., Docket Numbers 326J: Opinion; Findings of Fact; Interlocutory Order.
Hopi Tribe v. U.S., Docket Numbers 196, 229; Opinion; Order.
Iowa Tribe v. U.S., Docket Number 135: Orders re expenses of attorney's Iowa and Sac and Fox Tribes.
Baron Long, et al v. U. S., Docket Number 80A: Opinion; Order re defendant's motion for rehearing; and Opinion and Order re plaintiff's motion to reopen the record.
San Pasqual Band of Mission Indians, Docket No. 80A: Opinion on plaintiffs motion to file amended petition.
Mohove Indians v. U.S., Docket Numbers 283 and 295: Findings of Fact; Final Award; Interlocutory Order.
Navajo Tribe v. U.S., Docket Numbers 69, 299 and 353: Opinion; Order.
Nez Perce Tribe v. U.S., Docket Number 175B: Findings of Fact; Order.
Ponca Tribe v. U.S., Docket Numbers 322, 323 and 324: Orders re attorney's fees.
Potawatomi Tribe v. U.S., Docket Numbers 15D, 15P-Q; 29B, 9N, 290, 99, 124H, 254; 306, 309, 311, 313, 314A and 315; Opinion; Order.
Red Lake Band v. U.S., Docket Number 189: Opinion; Order; Findings of Fact; Interlocutory Order.
Sac and Fox and Iowa Tribes, et al v. U.S.. Docket Numbers 158, 209 and 231: Order re expenses of attorneys for Iowa Tribe.
Seminole Indians, et al., Docket Number 73, 151 and 280: Opinion; Order.
Seneca Nation v. U.S., Docket Number 342-A: Order.
Lower Sioux Indian Community v. U.S., Docket Number 363: Opinion; Findings of Fact; Interlocutory Order.
Stockbridge Munsee Community v. U.S., Docket Number 300: Final Award.
Te-Moak Bands of Western Shoshone Indians v. U.S., Docket Number 326A and 22G: Opinion.
Tuscarora Indians v. U.S., Docket Number 321: Order allowing attorney's fees.
Donor: Indian Claims Commission, Washington, D.C.

MUSEUM:

Jumper-type Naval uniforms, discontinued by the United States Navy July 1, 1973; other Naval items.
Source: Vernon Carl Kyker, Little Rock, Arkansas.

Post card photographs and documents relating to early history of Tulsa and Oklahoma City.
Source: Miss Eva Blackwelder, St. Louis, Missouri.

Items of clothing, personal items, and traveling bag associated with donor's imprisonment as a Prisoner of War held by the North Vietnamese.
Source: Lieutenant Colonel William H. Talley, Norman, Oklahoma.

Bust of the Honorable Johnston Murray.
Source: Friends of Governor Johnston Murray, Oklahoma City, Oklahoma.

Curlers for permanent wave machine; early Halloween lanterns.
Source: Bill Surbeck, Oklahoma City, Oklahoma.

Grocery cart, photographs and posters associated with the development and manufacture of the grocery shopping cart, from the inventor.
Source: S. N. Goldman, Oklahoma City, Oklahoma.

Program, United Federation of Doll Clubs Region Three meeting, Oklahoma City, June, 1973.
Source: Treasured Doll Club of Oklahoma, by Mrs. Robert L. Atkins, Oklahoma City, Oklahoma.

Crayon and pastel sketches, from the artist, entitled "Alabama Church Cemetery" and "Stomp Dance at Thlopthloplocco."
Source: Mrs. Callie Jane Maschal, Hollywood, Florida.

Quilted coverlet, made by donor's grandmother, *ca* 1865.
Source: Mrs. Jesse T. Christopher, Hamilton, Texas.

Documents, pertaining to John S. Williams, donors' father, and United States Senator Thomas P. Gore.
Source: Frank A. Williams and Miss Nina B. Williams, Tulsa, Oklahoma.

Communion set used in the Methodist Episcopal North Church of Norman, in the early twentieth century.
Source: Miss Helen Biggers, Tulsa, Oklahoma.

Photographs of early-day Guthrie; family pictures; buttonhook; what-not shelf.
Source: Mrs. Anna B. Shafer, Sapulpa, Oklahoma.

Photographs, showing scenes from the Guthrie 89'er Day Celebration of 1912, taken by donor when he was a student at Logan County High School.
Source: Philip A. Wilber, Stillwater, Oklahoma.

Items from donors' family, including items of clothing; personal items; household items; books; photographs; and documents.
Source: F. B. Lillie, Guthrie, Oklahoma, and Mrs. Frances Lillie Cozby, Crescent, Oklahoma.

Photograph of Harley Institute; Confederate currency which belonged to donor's grandfather, Lewis Keel, a Chickasaw.
Source: Isaac Underwood, Tishomingo, Oklahoma.

Newspapers, *The Milburn News*, 1913 and 1920.
Source: Jack Reed, Tishomingo, Oklahoma.

NEW ANNUAL MEMBERS*

July 27, 1973 to October 25, 1973

Allen, Arthur A.	Norman
Anderson, Mrs. Curtis	Laverne
Anglin, Dianne R.	Oklahoma City
Biehler, Larry, M.D.	Yukon
Bixler, Adella F.	Hydro
Bonner, Royce	Stratford
Brown, Thomas Elton	Stillwater
Bumpass, Mrs. T. S.	Oklahoma City
Capps, Mary Neely	Snyder
Cargill, Ken	Denver City, Texas
Craft, Floyd G.	Enid
Creel, Von Russell	Del City
Crews, James V.	Pauls Valley
Ellis, Beatrice	Oklahoma City
Faust, Richard H.	Norman
Geddie, Ivan D.	Oklahoma City
Geddie, Mrs. Virginia E.	Oklahoma City
Grassmann, Mrs. John (Camerene)	Oklahoma City
Green, Donald E.	Edmond
Green, Mrs. Wilber J.	Enid
Hakel, William J.	Oklahoma City
Hampton, Hugh	Oklahoma City
Hatch, Vel Davis	Tulsa
Herrold, Oman Charles	Alamosa, Colorado
Hilliard, Mrs. J. C.	Lindsay
Hyde, Alice	Oklahoma City
Jolls, Frank A.	Noble
Jones, Mrs. Henry C. (Lucile)	Oklahoma City
Kiester, Tommie J.	Oklahoma City
King, John W.	Tuttle
King, W. R.	Tonkawa
Laningham, Curtis	Moore
Lenau, Myrtle A.	Hobart
Lipscomb, Jerry	Oklahoma City
Meek, Mary Lee	Tulsa
Mobley, Hubert L.	Madill
Moore, Mrs. Barrett T.	Oklahoma City
Moulton, Garry E.	Weatherford
McInnis, Betty A.	Oklahoma City
McMartin, Mrs. Betty Lou Ketts	Oklahoma City
McMichael, Tom	Midwest City
Nuckolls, Charles W.	Oklahoma City
O'Dell, Betty Jean	Oklahoma City
Olness, Mrs. Valerie	Durant
Parmley, Mrs. Dracine	Arkansas City, Kansas
Purdy, James M., Jr.	Oklahoma City

Rainey, Lawrence	Davenport, Iowa
Ross, Guy J.	Oklahoma City
Rudy, Mrs. Ellis	Houston, Texas
Scantlan, Sam W.	Davis
Shaw, Mrs. Dixie H.	Kenner, Louisiana
Simon, Mrs. W. E.	Alva
Sims, Arlene M.	Oklahoma City
Smith, Charles H.	Oklahoma City
Smith, M. Natalie	Oklahoma City
Smith, Michael M.	Stillwater
Snyder, David	West Camp, New York
Sydloski, Henry J.	Oklahoma City
Walker, George E.	Alexandria, Virginia
Wiggins, Mrs. Van R.	Oklahoma City
Williams, Thomas C.	Del City
Wells, William R. (Bill)	Oklahoma City
Weston, Edgar E.	Copan
Yakey, Jack R.	Stillwater
Yandell, John A.	Edmond

NEW LIFE MEMBERS

July 27, 1973 to October 25, 1973

Anthony, Robert Holland	Oklahoma City
Shaw, Edward A.	Norman

* All members in Oklahoma unless otherwise designated.

THE OKLAHOMA HISTORICAL SOCIETY

The Oklahoma Historical Society was organized by a group of Oklahoma Territory newspaper men interested in the history of Oklahoma who assembled in Kingfisher, May 27, 1893.

The major objective of the Society involves the promotion of interest and research in Oklahoma history, the collection and preservation of the State's historical records, pictures, and relics. The Society also seeks the co-operation of all citizens of Oklahoma in gathering these materials.

The Chronicles of Oklahoma, published quarterly by the Society in spring, summer, autumn, and winter, is distributed free to its members. Each issue contains scholarly articles as well as those of popular interest, together with book reviews, historical notes, and bibliographies. Such contributions will be considered for publication by the Editor and the Publications Committee.

Membership in the Oklahoma Historical Society is open to everyone interested. The quarterly is designed for college and university professors, for those engaged in research in Oklahoma and Indian history, for high school history teachers, for others interested in the State's history and for librarians. The annual dues are $5.00 and include a subscription to *The Chronicles of Oklahoma*. Life membership is $100.00. Regular subscription to *The Chronicles* is $6.00 annually; single copies of the magazine $1.50 unless otherwise stipulated by the Historical Society office. All dues and correspondence relating thereto should be sent direct to the Executive Director, Oklahoma Historical Society Building, Oklahoma City, Oklahoma.

CONSTITUTION OF THE OKLAHOMA HISTORICAL SOCIETY

Article VI, Section 5—*The Chronicles of Oklahoma* shall publish the minutes of the meetings of the Board of Directors and of the Society; and shall pursue an editorial policy of publication of worthy and scholarly manuscripts dealing with all aspects of Oklahoma or regional history, including necrologies, reviews, reprints of journals and reports and other activities of the Society. It shall not interest itself in the publication of manuscripts of a political or controversial nature.

CONSTITUTION OF THE OKLAHOMA HISTORICAL SOCIETY

Article I, Section 2—The purposes for which the Oklahoma Historical Society is organized and conducted are to preserve and to perpetuate the history of Oklahoma and its people; to stimulate popular interest in historical study and research; and to promote and to disseminate historical knowledge. To further these ends and, as the trustee of the State of Oklahoma, it shall maintain a library and museum in which it shall collect, arrange, catalog, index and preserve books, pamphlets, newspapers, magazines, manuscripts, letters, diaries, journals, records, maps, charts, documents, photographs, engravings, etchings, pictures, portraits, busts, statuary and other objects of art and all other appropriate museum material with special regard to the history of Oklahoma. It shall perpetuate knowledge of the lives and deeds of the explorers and pioneers of this region; it shall collect and preserve the arts and crafts of the pioneering period, the legends, traditions, histories and cultural standards of the Indian tribes; it shall maintain a collection of the handiwork of the same, and an archaeological collection illustrating the life, customs and culture of the prehistoric peoples. It shall disseminate the knowledge thus gained by investigation and research through the medium of printed reports, bulletins, lectures, exhibits or other suitable means or methods. It shall discharge all other duties and responsibilities placed upon it by the Legislature of the State of Oklahoma.

VOLUME LII NUMBER 2 SUMMER 1974

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the chronicles OF OKLAHOMA

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THE CHRONICLES OF OKLAHOMA

Published quarterly by the Oklahoma Historical Society
2100 North Lincoln, Oklahoma City, Oklahoma 73105

OKLAHOMA HISTORICAL SOCIETY OFFICERS

GEORGE H. SHIRK, President
H. MILT PHILLIPS, 1st Vice President
W. D. FINNEY, 2nd Vice President
MRS. GEORGE L. BOWMAN, Treasurer
JACK WETTENGEL, Executive Director
Historical Building, Oklahoma City

OKLAHOMA HISTORICAL SOCIETY DIRECTORS

GOVERNOR DAVID HALL

Term Expiring in January, 1975

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the chronicles OF OKLAHOMA

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THE COVER For centuries the Indian as well as the white man viewed the universe with awe. Today, descendants of those same people who were inspired by the wonders of the universe are exploring its outermost limits. William R. Pogue, a Choctaw Indian born in Okemah, Oklahoma, and raised in Sand Springs, Oklahoma, has recently returned from an eighty-four-day mission in Skylab III. In honor of his proud Indian heritage, Pogue carried on his epic voyage a small silk flag bearing the names of all sixty-seven different Indian tribes which live within the borders of Oklahoma. The names are clustered around a central figure containing sixty-seven eagle feathers—one for each tribe—and a symbol of peace for all mankind. The colors of the flag are the same as the State Flag of Oklahoma.

The painting on the cover illustrates the awe of the Indian for the universe and is by the prominent Cheyenne Indian artist, Jerome Bushyhead. Born in Calumet, Oklahoma, in 1929, Bushyhead graduated from El Reno High School in 1948 and later attended Centenary College in Shreveport, Louisiana. Although he has painted as a hobby since grade school, he did not begin to paint professionally until 1970. He is currently the President and co-founder of the Oklahoma Indian Art League, Inc., and founder of the Cheyenne Nation Bi-Centennial Arts-Crafts and Pow Wow to be held in El Reno, Oklahoma, July 11-14, 1974.

OKLAHOMANS IN SPACE

*By George H. Shirk**

From Project Mercury through Gemini, Apollo and Skylab, astronauts from Oklahoma have actively participated in each phase of manned space flight. Looking to the future, Oklahoma will again be well represented when Brigadier General Thomas P. Stafford flies his fourth mission into space as commander of the joint United States-Soviet mission, the Apollo-Soyuz Test Project, in July, 1975.

On October 4, 1957, the Soviet Union awoke the world to the dawn of the age of space by launching the first man-made satellite, Sputnik I. With the ingenuity of Americans to respond to a challenge, the first successful satellite of the United States, Explorer I, orbited the earth three months later.

Although the Soviet Union's Yuri Gagarin became the first man to rocket above the earth's atmosphere in April, 1961, Astronaut Alan Shepard followed on May 5, as the first American in space.

Previously Project Mercury had been organized on October 5, 1958, with the objectives of orbiting a manned craft, investigating man's reaction to and abilities in space flight and recovering safely both man and spacecraft. It was the first of three programs designed to land Americans on the moon and return them to the earth before the end of the decade of the 1960s—a national goal outlined before the Congress by President John F. Kennedy on May 25, 1961.

Among the original seven astronauts who had volunteered to blaze a trail for man in the Mercury-Atlas spacecraft was one from Oklahoma, then a United States Air Force captain, Leroy Gordon Cooper, Jr.

Cooper's Mercury-Atlas IX mission was the sixth manned flight of the Project Mercury series. On the morning of May 15, 1963, after one brief hold, Cooper and Faith VII started their historic trip at 8:04 A.M., and orbited the earth twenty-two times. During the thirty-four hours and twenty minutes of flight, Faith VII attained an apogee of 166 statute miles and a speed of 17,546 miles per hour while Cooper traveled 546,167 statute miles.

Cooper, now a retired major, was born on March 6, 1927, in Shawnee Oklahoma. Attending primary and secondary schools in Shawnee and Murray, Kentucky, he entered the Marine Corps in 1945 and attended the

* The author is the former Mayor of Oklahoma City, Oklahoma, and is currently President of the Oklahoma Historical Society.

Oklahoma Astronaut L. Gordon Cooper and his spacecraft Faith VII being lowered onto the deck of the *U.S.S. Kearsarge* after their historic flight

Naval Academy Preparatory School. He was a member of the Presidential Honor Guard in Washington, D.C. until discharged in 1946.

After three years as a student at the University of Hawaii in Honolulu, Hawaii, he was commissioned in the United States Army. Later he transferred to the Air Force, and was called to extended active duty for flight training in 1949.

After completion of his flight training, Cooper was assigned to the Eighty-sixth Fighter Bomber group in Munich, Germany. There he flew F-84's and F-86's for four years; and at the same time went to night school with the European Division of the University of Maryland. After attending the Air Force Institute of Technology at Wright-Patterson Air Force Base in Ohio for two years, he received his Bachelor of Arts degree in aeronautical engineering in 1956.

Assigned to the Air Force Experimental Flight Test School at Edwards Air Force Base in California, he graduated in April, 1957, and was assigned to the Performance Engineering Branch of the Flight Test Division at Edwards Air Force Base where he tested experimental fighter aircraft and worked as an aeronautical engineer.

In April, 1959, Cooper was selected as one of the seven Project Mercury astronauts by the National Aeronautics and Space Administration from among more than 500 test pilots from all branches of the United States military services who had been considered.

Prior to this first space mission, Cooper had accumulated more than 2,600 hours of flight time of which 1,600 were in jet fighters.

After Project Mercury, the next major step in the United States manned space flight program was Project Gemini. Its goals were to determine man's performance and behavior during prolonged orbital flights of as much as two weeks, including his ability as a pilot and controller of his craft, and to develop and perfect techniques for orbital rendezvous and docking—the bringing together and coupling of craft while in orbit.

Again, Cooper represented Oklahoma, serving as command pilot of the 8-day, 120-revolution Gemini V mission which began on August 21, 1965. It was on this flight that he and pilot Charles Conrad established a new space endurance record by traveling a distance of 3,312,993 miles in an elapsed time of 190 hours and 56 minutes. Cooper also became the first man to make a second orbital flight and thus won for the United States the lead in manhours in space by accumulating the impressive total of 225 hours and 15 minutes.

Oklahoma City, Oklahoma, honored Cooper on Thursday, September 30, 1966, which was proclaimed by Mayor George H. Shirk as "Gordon Cooper Day." The astronaut's mother, Mrs. Hattie Cooper, of Shawnee

L. Gordon Cooper and Thomas P. Stafford—Oklahoma's first two men in space

represented her famous son and in his behalf, received the tribute of the city at a Chamber of Commerce Forum luncheon. This was followed by a ceremony at the State Fairgrounds, presided over by Edward L. Gaylord, President of the State Fair Board, where Mrs. Cooper participated in the dedication of the site for a space fountain, named in honor of Cooper. Later Mayor Shirk and Mrs. Cooper named one of the principal thoroughfares at the fairgrounds Gordon Cooper Boulevard. Mrs. Cooper's response to Gaylord and to the mayor was both moving and heartfelt.

Oklahoma was represented again in Project Gemini by Thomas P. Stafford, then a major in the United States Air Force. His first mission was with command pilot Walter M. Schirra on the history-making Gemini VI flight, during which they accomplished the first successful rendezvous of the two-manned maneuverable spacecraft with the already orbiting Gemini VII crew. Gemini VI had been launched on December 15, 1965, and returned to earth on December 16, 1965, after 25 hours, 51 minutes and 24 seconds of flight.

Stafford made his second flight as command pilot of the Gemini IX mission. During this three day flight, which began on June 3, 1966, the

crew performed three different types of rendezvous with the previously launched Augmented Target Docking Adapter; and pilot Eugene Cernan logged two hours and ten minutes in activities outside the spacecraft. The flight ended after seventy-two hours and twenty minutes with a perfect reentry and recovery.

Stafford, now a brigadier general in the Air Force, was born September 17, 1930, in Weatherford, Oklahoma, where his mother, Mrs. Mary Ellen Stafford, still resides.

He graduated from Weatherford High School; received a Bachelor of Science degree from the United States Naval Academy at Annapolis, Maryland, in 1952; and has been the recipient of an Honorary Doctorate of Science from Oklahoma City University in 1967, an Honorary Doctorate of Laws from Western State University College of Law in 1969, an Honorary Doctorate of Communications from Emerson College in 1969, and an Honorary Doctorate of Aeronautical Engineering from Embry-Riddle Aeronautical University in 1970.

He is married to the former Faye L. Shoemaker of Weatherford and they have two daughters, Dionne and Karin.

Stafford was commissioned in the Air Force upon graduation from Annapolis, and following his flight training, he flew fighter interceptor aircraft in the United States and Germany. Later he attended the United States Air Force Experimental Flight Test School at Edwards Air Force Base.

He was chief of the Performance Branch at the United States Air Force Aerospace Research Pilot School at Edwards Air Force Base and responsible for the supervision and administration of the flying curriculum for student test pilots. He was also an instructor in flight test training and in specialized academic subjects—establishing basic textbooks and directing the writing of flight test manuals for use by the staff and students. In addition he co-authored the *Pilot's Handbook for Performance Flight Testing* and the *Aerodynamics Handbook for Performance Flight Testing*. Stafford was selected as an astronaut by the National Aeronautics and Space Administration in September, 1962. Prior to his mission in Gemini VI, he had served as backup pilot for the Gemini III flight.

Oklahoma City honored Stafford and Cernan on Friday, July 8, 1966, a date proclaimed by Mayor Shirk as "Stafford and Cernan Day" in Oklahoma City. The two astronauts arrived at Will Rogers World Airport at midmorning; and after a tumultuous welcome, were escorted to the Imperial Ballroom at the Skirvin Hotel for a special luncheon sponsored jointly by the Frontiers of Science Foundation and the Oklahoma City Chamber of Commerce. More than a thousand enthusiastic citizens crowded

into the ballroom, and it was in fact the largest meeting of that type ever held. In his response, Stafford referred to the decade as the "most fantastic age of mankind" and brought thunderous applause when he concluded by saying "I'm proud to be an Okie."

Mayor George H. Shirk and Dean A. McGee, President of the Frontiers of Science Foundation, welcome astronauts Thomas P. Stafford and Eugene Cernan to Oklahoma City (Copyright 1966, The Oklahoma Publishing Company. From the *Oklahoma City Times*, July 8, 1966.)

In the afternoon special honors were paid the pair at a ceremony in the Civic Center in front of the Wiley Post statue. Recalling the pioneer efforts of Post in developing capabilities for flights at extremely high altitudes, especially a practical pressurized suit, Stafford and Cernan placed special articles in a time capsule, deftly screwed on the lid and deposited the same in perpetuity in a specially prepared receptacle at the base of the statue. The contents of the space capsule were highlighted by Stafford including an Oklahoma flag carried by him into space.

Following Project Gemini came Project Apollo, the goal of which was to land Americans on the moon and return them safely to earth. The first crew to fly the three-man Apollo spacecraft checked out the Command Module in earth orbit on the Apollo VII flight in October, 1968. The second crew flew the Command Module around the moon on Apollo VIII in December, 1968, and the third crew checked out the Lunar Module in earth orbit on Apollo IX.

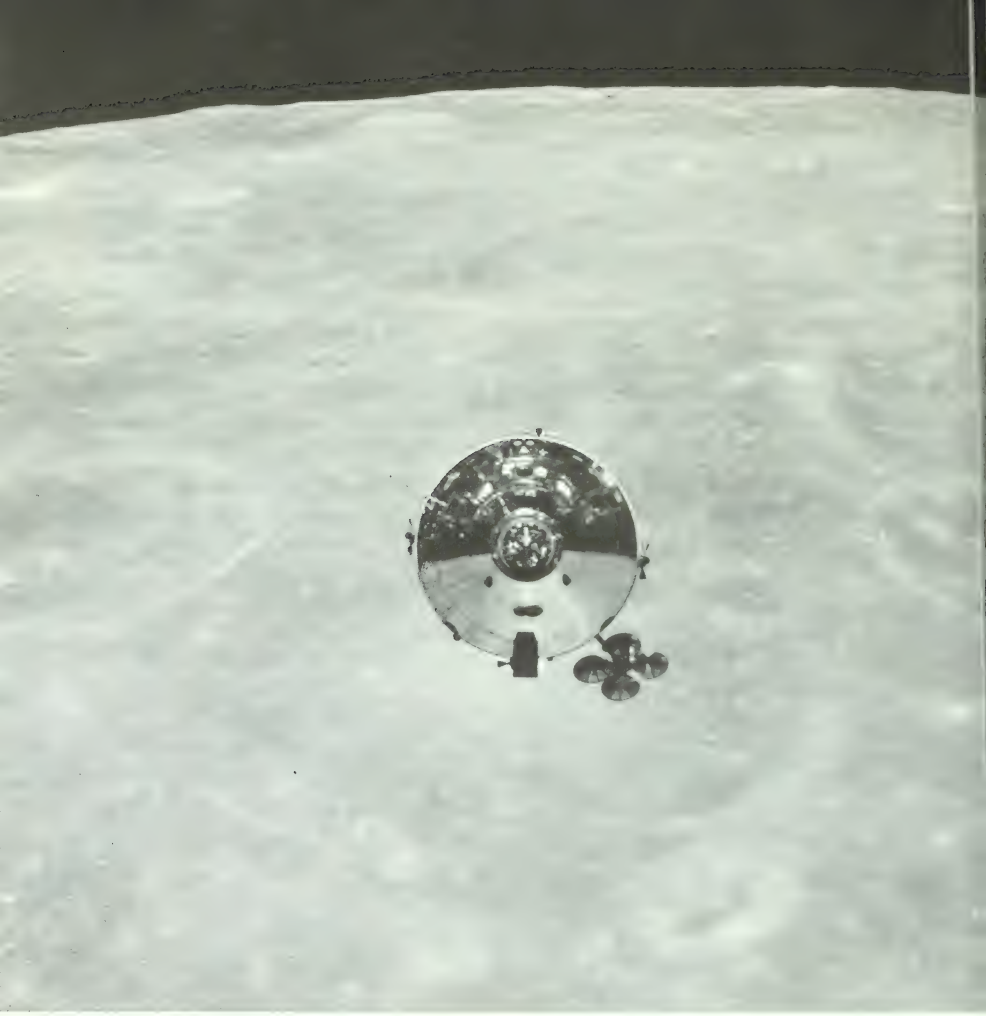
The fourth crew included one of our Oklahoma astronauts, when Stafford made his third flight into space on Apollo X, launched May 18, 1969.

For the first time on the flight of Apollo X, the Saturn V rocket carried its full payload of all three modules, weighing nearly 6,400,000 pounds. The five powerful engines of the first stage gulped propellant at a rate of fifteen tons per second. The vehicle functioned perfectly through roll sequence, jettisoning of the escape tower, first stage cutoff and second stage powered flight, cutoff of the second stage and third stage burn. It achieved orbit 11 minutes and 52.8 seconds after leaving Pad B at Cape Kennedy, Florida. Two orbits were spent in checking out the spacecraft and then, over Australia, the crew received the eagerly awaited "go."

During the third orbit of the moon, the crew turned on the television camera and, for the first time, earth viewers saw the moon's surface in color.

May 22, turned out to be an action-packed day. Stafford and Lunar Module Pilot Cernan separated their craft from the command ship, piloted by John Young, while on the dark side of the moon. By mid-afternoon, having run through an exhaustive checklist, the two astronauts were ready for descent. Using the descent engine they moved into an orbit at which they would approach closer to the moon than man had ever been. An hour later, the spacecraft reached a point of 8.4 nautical miles above the Sea of Tranquility which had been selected as the landing site for Apollo XI, provided the Apollo X mission succeeded.

In rapid fire sequence, Stafford and Cernan called out their description of the surface. They said the landing site was "pretty smooth, like wet clay, like a dry river bed in New Mexico or Arizona." They also spoke of "enough big boulders to fill Galveston Bay." At the low point of their



The Apollo X Command and Service Modules as seen by Thomas P. Stafford from the Lunar Module above the surface of the moon

second swing around the moon, the two astronauts prepared to fire the ascent engine to propel them to rendezvous and dock with "Charlie Brown," their nickname for the command ship. Before firing the motor, they had to separate the descent stage. Just before this action, the lunar module, "Snoopy," suddenly gyrated. Stafford immediately took manual control and restored proper orientation. Then the descent stage was jettisoned and the module stabilized. Later analysis indicated the problem resulted from a malfunction in the backup guidance system.

Eight days and three minutes after leaving Pad B, Apollo X splashed

down three miles from the Pacific aiming point, 450 miles east of Samoa. The dress rehearsal for the lunar landing had been completed, paving the way for Apollo XI in July, 1969, and man's first steps on the moon.

At the completion of Project Apollo, attention was turned from the moon to the earth in Project Skylab, man's most ambitious and organized scientific probing of his planet. The objectives of Skylab were the development of systems, materials and technology needed for future long duration space stations; further knowledge about man in space; and research about the earth itself and the influence on it of the sun.

Skylab's flight began with the launch of the large unmanned earth-orbiting space laboratory, Skylab I, on May 14, 1973. Ten days later, and on May 25, the first crew, Skylab II, was launched for a twenty-eight day stay in space.

The second Skylab crew, Skylab III, was launched on July 28, 1973, and included the third Oklahoman to fly in space, Owen K. Garriott. The second crew splashed down on September 25, 1973, after a total of fifty-nine days in space.

In addition to completing all pre-mission objectives, the Skylab III crew also conducted twelve experiments not previously planned for the mission and two that were developed during the mission. The Skylab III crew also exceeded planned levels of activity on the three major experiment areas.

A total of twenty-six Z-axis vertical—earth-oriented—earth resources passes had been included, but the crew completed thirty-nine plus two calibration passes and two solar inertial passes. These orbital passes permitted extensive earth resources observations over: sixty-seven regional planning and development sites; fifty-nine geological sites; twenty-two continental water resources sites; and seventeen coastal zones, shoals and bays.

On the Apollo Telescope Mount, the plan had been to obtain a total of 186 hours of solar observations. However, this was increased to 205 hours by the time the Skylab III crew was launched, and the final total recorded was 305 hours, an increase of 150 per cent.

In the medical tests, the crew augmented the anticipated data by doing hemoglobin tests on all blood samples and adding specific gravity tests to the urine analyses.

Garriott and his wife, the former Helen Mary Walker, are both natives of Enid, Oklahoma, where all four parents still reside.

The brown-haired, blue-eyed scientist-pilot had been interested in electrical engineering since boyhood. Born November 22, 1930, Garriott earned a "ham" radio operator's license as a teenager, while his father, Owen Garriott, worked for his license at the same time. Until the last two years, when crew duties wiped out most leisure interest, father and son called each other frequently on their "ham" sets.

After graduating from Enid High School in 1948, and from the University of Oklahoma at Norman in 1953, Garriott served as a Navy Electronics Officer aboard several destroyers before beginning graduate work in electrical engineering at Stanford University in Stanford, California. He received a Master of Arts degree in 1957 and a Doctor of Philosophy degree in 1960 as a result of his graduate studies.

Owen K. Garriott and William R. Pogue—two other Oklahoma astronauts

Doctor Garriott's speciality was the ionosphere, the ultra-thin region of the upper atmosphere where layers of electrons reflect radio waves to carry a broadcast long distances from the transmitter.

After earning his doctorate, Garriott spent a year on a National Science Foundation fellowship at Cambridge University in England and the Radio Research Station at Slough, not far from London's Heathrow Airport.

Returning to Stanford, Garriott became an associate professor of physics before becoming one of six scientists selected as astronauts in 1965. He had already qualified as a pilot.

Garriott spent fifty-three weeks at Williams Air Force Base, Arizona, in jet-pilot training after being selected as an astronaut. Prior to his flight in Skylab III, he had accumulated 1,600 hours of flying time, 1,200 of them in jets. He not only maintains his National Aeronautics and Space Adminis-

tration ratings but also his certification with the Federal Aviation Administration as a commercial pilot and flight instructor.

During Skylab III, Garriott logged 1,427 hours and 9 minutes in space, setting a new world record for a single mission. He also logged thirteen hours and forty-three minutes in three separate extravehicular activities outside the orbital workshop.

The third and final Skylab mission, Skylab IV, included three space rookies, one of whom was an Oklahoman, William R. Pogue. Astronauts Gerald Carr, Edward Gibson and Pogue rocketed into an orbital rendezvous with the orbiting workshop on November 16, 1973. Their schedule called for an initial stay in space of sixty days, with options for lengthening their mission to eighty-four days.

Extending the mission allowed many bonuses for this final Skylab flight. For one thing, it permitted better observations of the Comet Kohoutek. The astronauts took with them more than 250 pounds of cameras, instruments, lenses, mirrors and film just to photograph Kohoutek, which was new to the sun's solar system and will not return again for 70,000 years.

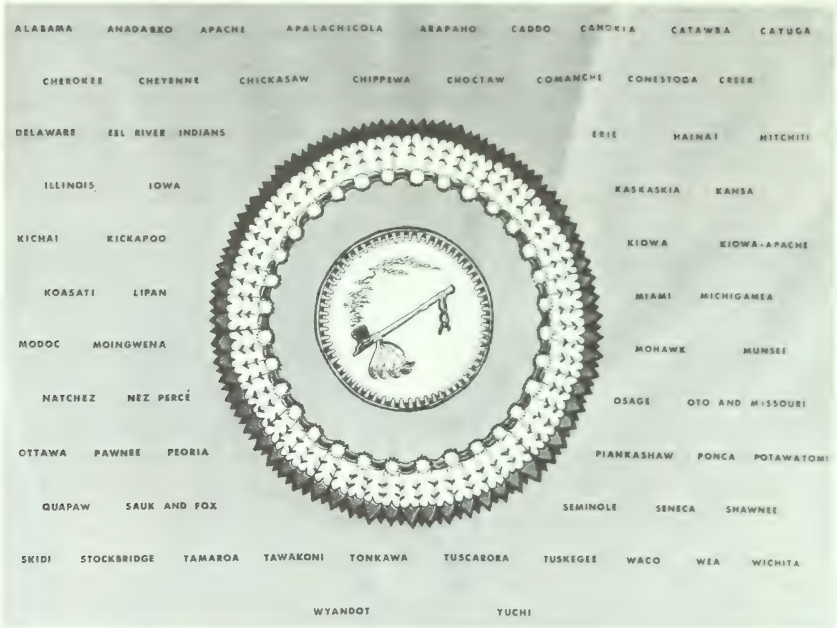
Fundamental new knowledge of the solar system is now forthcoming from the vast store of data gathered on the comet. Skylab IV provided the only continuous platform for accumulating data on Kohoutek during its critical pass around the sun, when solar energy effects provided significant clues on its composition.

On Christmas day, Pogue participated in two successful extravehicular activities, just prior to the passage of Kohoutek by the sun, and again on December 29, 1973, to record data with three experiments without possible interference effects from the spacecraft viewing windows.

The extended mission also added significantly to medical endurance data. Also as the Skylab IV mission continued into late January, good ice and snow-cover photographs were secured, as well as a look at the first growth of some winter-sown crops.

On February 8, 1974, the Skylab IV crew returned to earth, completing eighty-four days one hour and fifteen minutes in space and establishing the present record of the longest manned flight in the history of space exploration.

Pogue and his fellow crewmen, Carr and Gibson, successfully completed 56 experiments, 26 science demonstrations, 15 subsystem detailed objectives and 13 student investigations while traveling some 34,500,000 miles in 1,214 revolutions of the earth. A total of twenty-two hours and eighteen minutes were spent outside the orbital workshop in four separate and very productive space walks. The crew also acquired extensive earth resources data and devoted 338 hours to specialized visual observations of the sun.



A copy of the flag representing the sixty-seven different Indian tribes in Oklahoma which was carried aboard Skylab IV by William R. Pogue

On January 23, 1974, Pogue celebrated, in space, his forty-fourth birthday. He was America's oldest space rookie, but he was also one of the most experienced pilots.

Before he became an astronaut in 1956, Pogue was one of the top jet pilots in the country. He flew forty-three combat missions in Korea, was a member of the Air Force Thunderbirds precision flying team, graduated from Empire Test Pilot's School in England and was qualified to fly more than fifty types of American and British craft.

Born in Okemah, Oklahoma, Pogue earned a Bachelor of Arts degree in education from Oklahoma Baptist University at Shawnee in 1951, before joining the Air Force. He later earned a Master of Arts degree at Oklahoma State University in Stillwater, and spent three years as a math instructor at the Air Force Academy.

Pogue is married to the former Helen J. Dittmar of Shawnee. They met while students at Oklahoma Baptist University and have three children.

The Pogues bring an additional tribute to Oklahoma, as Pogue is of Choctaw descent, and his wife is of Cherokee lineage. While on his epic-

making Skylab IV space voyage, Pogue carried with him a flag representing the sixty-seven different Indians tribes in Oklahoma as a symbol of pride in his Indian heritage. The various names are clustered around a symbol containing a circle of feathers, one feather for each tribe represented, and this in turn encloses a peace pipe symbolizing peace for all nations. The original flag carried on this mission will be presented by Pogue for display in the Oklahoma Historical Society.

Now that Skylab is over, the manned space program is looking forward to a new venture in international cooperation. In July, 1975, two Soviet cosmonauts will be launched from the Soviet Union aboard a Soyuz spacecraft. Seven and one-half hours later, an Apollo will be launched from Cape Kennedy, thus initiating the first joint flight sequence between the Soviet Union and the United States in the Apollo-Soyuz Test Project. This flight will be commanded by the veteran astronaut from Oklahoma, Thomas P. Stafford, who will be making his fourth flight into space.

The primary objective of this joint mission is to test the compatibility of systems for rendezvous and docking of future manned spacecraft and stations—and the possibility of rescue capability.

In just sixteen years, hundreds of spacecraft have been placed in orbit, and a dozen Americans have walked on the moon. Humanity has reaped a harvest of scientific observations from space to aid man in his search for mineral wealth, surveying of crops, looking for possible drought areas, mapping huge jungles, inventorying American forests and range lands and studying pollution.

Oklahomas have participated in every phase of manned space flight. And after the Apollo-Soyuz Project, the Space Shuttle Program will go on to enlarge man's benefits from space—and we are sure that Oklahomans will be there!

THE CAREER OF JOHN R. THOMAS

*By J. Stanley Clark**

Judge John Robert Thomas, a resident of Muskogee from 1897 to 1914—the last seventeen years of his life—was a nationally-known figure before he came to Indian Territory, and was one of Oklahoma's best-known and admired citizens at the time of his tragic death. Active in Republican party politics, he was personally known by every President of the United States from Rutherford B. Hayes to Woodrow Wilson, and was a pallbearer at the funeral of President James A. Garfield. He also liked to relate the part he played in the move of Charles N. Haskell from Ohio to Indian Territory. Judge Thomas, a passenger in 1900, on the Baltimore and Ohio Railway from St. Louis, Missouri, to Washington, D.C., was joined in the car at Cincinnati, Ohio, by the younger man, a lawyer, contractor and railroad builder. During the trip Thomas waxed eloquent on the developmental possibilities in Indian Territory. Afterward, Haskell visited Muskogee and the following year moved to the city—six years later he became the first governor of the newly-formed state.

A lineal descendant of the prominent Henry family of Virginia, Thomas came from a line of patriots. His father, Major William Thomas, won his title in the Mexican War and died of wounds received at the Battle of Cerro Gordo; a grandfather, John I. Neely, was on the staff of William Henry Harrison in the War of 1812; and his great grandfather, Major Joseph E. Neely, was an officer in Indian and colonial conflicts as well as the Revolutionary War.

Thomas, the son of William Allyn and Caroline Neely Thomas, was born at Mount Vernon, Illinois, on October 11, 1846. After the death of his father he was raised in Indiana by his grandparents, John I. Neely and

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* The late Dr. J. Stanley Clark acknowledged his article was an elaboration of one prepared by the late Carolyn Thomas Foreman. Although Mrs. Foreman in 1936 presented to the Library of Congress much of the correspondence of her father when he was a member of Congress, she deposited with the Oklahoma Historical Society four boxes of correspondence, newspaper clippings and other items. This material was made available to Clark through the assistance of Mrs. Rella Looney, Director of the Indian Archives of the Oklahoma Historical Society. Mrs. Hughberta Nygaard, of Crozet, Virginia, the daughter of John R. Thomas, Jr., also provided supplementary data. The source of the material on the widely publicized trial presided over by Judge Thomas is the thesis, "Violence on the Oklahoma Territory—Seminole National Border," submitted in 1957 by Geraldine M. Smith to the University of Oklahoma as a partial requirement for her Master of Arts Degree.

Judge John Robert Thomas

his wife; and attended Hunter Institute at Princeton, Indiana, until December, 1863, when he enlisted as a private in the Indiana Volunteer Infantry. When the regiment was mustered out of service after the close of the Civil War, Thomas was the captain of Company "D" and had been decorated for unusual bravery at the Battle of Franklin in November, 1864. Wounded at

the engagement, the bullet remained in his upper thigh for the remainder of his life and was a source of pain and inconvenience. Thomas, of heavy frame and inclined to become corpulent as he grew older, was forced by the injury to use a cane when walking.

Colonel Reuben C. Kise, his commanding officer, recommended a permanent commission in the regular army for Thomas in 1866, stating that "on many occasions during General Sherman's Georgia campaign he displayed unusual gallantry in action." During the years 1864–1865 the young soldier came to the attention of both Garfield and John A. Logan who later assisted Thomas in his political career. Major General Ambrose E. Burnside was another Civil War leader impressed by Thomas's ability, and when Burnside died on September 13, 1881, Captain Thomas, as he was usually addressed before his Indian Territory experience, was one of the pallbearers.

While convalescing from his wound, Thomas studied law in the office of an old family friend, Judge Monroe C. Crawford of Jonesboro, Union County, Illinois. Admitted to practice on January 8, 1869, he tried his first lawsuit in the Union County Courthouse during the January term of court and then moved to Metropolis in Massic County. Both towns were in "Little Egypt,"—southern Illinois—bordered by the Mississippi and Ohio rivers, and represented in Congress by Logan, Thomas's old Civil War friend.

Thomas served as city attorney in Metropolis until 1871, when he was appointed to a three-year term as state prosecuting attorney for the congressional district represented by Logan. Marrying Lottie Culver of Metropolis on December 28, 1870, they had five children before her death October 17, 1880; however, only two of the childlren, Carolyn and John Robert, Jr., survived their mother.

Thomas, by nature a student, by training a masterful speaker and by disposition generous and likable, became a well-known figure in southern Illinois. Active in the Masonic order, he was chosen Grand Master for Illinois in 1883, and after moving to present-day Oklahoma he became a Shriner at the India Temple in Oklahoma City, Oklahoma Territory, on May 12, 1898, and a member of the Indian Consistory at McAlester in the Choctaw Nation, on April 25, 1907.

In the 1870s Thomas became a political protege of Logan, who was actively engaged in the organization of the Grand Army of the Republic and served three times as its president. Thomas was the successful candidate for the vacated United States House of Representatives seat in his district when Logan was elevated to the United States Senate by the Illinois legislature in 1878, and represented the twentieth district of Illinois from December 3, 1879, until his vountary retirement on March 4, 1889.

Thomas was proud of his association with the Grand Army of the Republic and when the military Order of the Loyal Legion was formed in Washington, D.C., with Major General Winfield Scott Hancock as commander-in-chief, he was inducted, on January 15, 1884, as a Companion of the First Class.

The freshman congressman was appointed to the Committee on Levees and Improvements of the Mississippi River. This was important to him locally as he represented the Illinois district bordering the Ohio and Mississippi rivers and he reflected local interest in the control and improvement of the rivers for commerce. Yearly appropriations for river development, control and dredging during his terms in Congress made Thomas very popular in the St. Louis, Missouri, area.

Although Thomas never applied for, nor accepted a pension for his war service and wound, much of his time in Washington was spent in securing pensions for Mexican and Civil War veterans who were residents of his district. Women were ineligible to vote in the 1880s. Even so, Thomas was always willing to present their petitions against some of the social evils of the period: polygamy, liquor and tobacco.

Later he introduced into Congress a bill which prohibited the use of pictures of women in advertising, and for his efforts he received the thanks of the Women's Christian Temperance Union:

> At a meeting of the Central Women's Christian Temperance Union of Chicago held March 15th a unanimous vote of thanks was passed for your commendable action in presenting to Congress a bill making it an offense to use the face of any woman as a 'trade mark'. You have the hearty sympathy of all true women who appreciate your chivalric defense of sacred womanhood, shown by this effort to preserve even its pictured semblance from the touch of all things 'common and unclean'. We feel that special thanks are due from us as temperance women because the foes we fight, the liquor traffic and tobacco trade, are the great transgressors in this species of desecration.

Thomas was also a member of the Congressional delegation which accompanied President Chester A. Arthur to Yorktown, Virginia, on October 19, 1881, to witness the centennial anniversary of the surrender of British forces under Lord Charles Cornwallis to George Washington. Participating in the laying of the cornerstone of a commemorative monument, Thomas was surprised to see barrels of peach brandy made available to the spectators by means of sharing several gourd dippers.

Through the fortuitous vicissitudes of national politics in 1880, the young congressman was elevated to a United States House of Representatives

committee where, because of his service to the nation, he achieved national recognition. Garfield, the leader of the Republican Party in the House of Representatives, chaired a movement mustering support for Senator John Sherman of Ohio to receive the presidential nomination at the Republican national convention early in June. Other major contestants were the former president, Ulysses S. Grant, and James G. Blaine. When a deadlock on the floor of the convention developed among delegates who favored Grant or Blaine, Garfield—a compromise candidate—was selected for the nomination through the efforts of Logan and Thomas of the Illinois delegation. Garfield resigned his seat in the United States House of Representatives after the November election, and William McKinley of Ohio, took his place on the Ways and Means Committee while Thomas was added to the Committee of Naval Affairs. The following year, Thomas was elevated to the chairmanship and, when the Democratic party gained control of Congress in 1883, he became the minority leader. Thomas was also designated a visitor to the Naval Academy, one of three congressmen who made annual tours of inspection, and he fulfilled this obligation with attentiveness and pleasure as his interest in the United States Navy increased.

American fighting ships were equipped with sails at the time Thomas entered Congress. Some ships could be propelled by steam power or sails, but none had shifted to steam power alone. The last Secretary of the Navy under the Grant administration, George M. Robeson, in an economy drive, forbade the use of steam power except in harbors and calm waters. Because of these actions, the United States Navy ranked twelfth among the navies of the world—behind such minor military powers as China, Peru and Denmark.

The crews of the American ships were made up of sailors from different parts of the world, and Admiral of the Navy, David B. Porter, testified in 1888 that:

> When our finest ship, the *Trenton,* lately went to sea, a crew of Goths, Germans, Huns, Norsemen, Gauls, Chinese, and other outside barbarians went with her. Only one in five could speak the English language. It can scarcely be believed that crews of our ships are generally made up of sailors from every part of the world. A few years ago one of our sloops of war with a cosmopolitan crew was anchored in the harbor of Ville Franche. The crew was composed of nineteen different nationalities and so indifferent and inefficient was the organization some wag printed on a board hung in the gangway '*Ici on parle Anglais*' like the signs hung in Paris.

Thomas was one of a small group who visualized the navy as powerful enough to carry an attack to any foe, and thought it should no longer be regarded as a shore-hugging shield for coastal defense or as an arm for occasional raids on enemy commerce. He won advocates for a modern

navy among his colleagues and in August, 1882, Congress authorized the construction of four steam-cruising vessels of war to be constructed of steel. Funds were appropriated on March 3, 1883, for the cruisers *Chicago*, *Atlanta* and *Boston*, and the dispatch boat *Dolphin*, which all put to sea in 1887. These ships marked the beginning of the modern navy and Thomas was accorded the honor of naming the first armor-plated ship authorized.

He was a chief spokesman in the House of Representatives in 1884 for an appropriation to establish the Naval War College at Newport, Rhode Island. Admiral Stephen B. Luce, president of the college which opened in 1885, was as interested as Thomas in developing well-trained personnel to man the fighting ships. Luce organized training cruises, devised war games and established schools for enlisted men aboard ship, introducing courses in English, mathematics and geography. A chief lecturer on naval strategy to officers who attended sessions of the War College was Captain A. T. Mahan, who found a willing disciple in stressing the importance of sea power in Thomas.

Mahan pointed out that Great Britain controlled the narrow waterways through which all seaborne commerce between the leading trade centers of the world was forced to pass. Dover Strait, between England and France; Gibraltar and the Suez Canal, at the western and eastern ends of the Mediterranean; and the Straits of Malacca, between Sumatra and Malaya, were all under British domination. Walking in the vanguard of events, Mahan not only advocated control of Hawaii and the conversion of the Caribbean into an American lake, but also favored the construction of an Isthmian canal to link the Atlantic and Pacific oceans.

No doubt during this time, too, Thomas became acquainted with a brash, young extrovert from New York, Theodore Roosevelt, who was a staunch advocate of the "Mahan Thesis." Apparently the two became well acquainted and an autographed copy of Roosevelt's book published in 1882, *The Naval War of 1812*, was in Thomas's library.

Excerpts from two speeches delivered by Thomas in Congress indicated inadequacies of our naval strength at the time. On March 1, 1884, he stated:

> It will be found we have but one so-called first rate war vessel, the *Tennessee*. She is a vessel of 4,840 tons displacement. She is wholly incapable of meeting any one of fifty vessels belonging to the British navy. She would be utterly helpless before any one of fifteen vessels belonging to the Spanish navy, any one of twenty vessels belonging to the Italian navy. She would be incapable of meeting any one of three vessels belonging to the Chilean navy and today there is scarcely a civilized nation on earth but that could send one or more of its war vessels here and lay the great cities both of the Atlantic and Pacific coasts under contribution.

> Chile might with any one of her great war vessels anchor outside the roads at San Francisco and, across the narrow strips of land intervening, shell not only San Francisco but Oakland beyond and might, by bringing those cities under her guns, demand a ransom sufficient to rebuild the American navy. And yet, how are we protected there? Not one ship in the whole South Atlantic squadron or along the Pacific coast could stand fifteen minutes against any one of the great Chilean war vessels.

Again, in a February 3, 1885, speech, Thomas stressed our nation's vulnerability;

> California stands today from the head of the Gulf of California along the whole coast without any defensive vessel at all. This much talked of *Esmeralda* belonging to the Chilean government might come and lay the city of San Francisco under contribution and extort from its inhabitants a sum in one hour sufficient to construct a dozen such vessels.

The effective use of sea power by Chile against Peru and Bolivia in the War of the Pacific awakened the United States to the need of modernizing its navy. Obvious needs were the training of personnel, the abandonment of wooden ship construction and the advanced use of armament and fire power as well as the reorganization of the navy department.

The national House of Representatives from 1883 to 1889 was controlled by the Democrats, and it was a tribute to Thomas's ability that he was recognized by them as the "father of the modern American navy." Metropolitan papers by 1887 were using the phrase with reference to him when they declared that the adoption of the Naval Bill was a personal triumph for Thomas. Accompanied by career navy men, Thomas appeared before steel fabricators and manufacturers in leading cities to urge their interest in overtaking the British in ship and armament construction. Arousing interest in research development, design and construction, Thomas himself designed a monitor, a print of which occupied a conspicuous place on the walls of his library. He described the vessel to Congress and declared:

> She can defend a coast or port at home carrying two 10-inch breech loading rifles which can pierce the armor of any ironclad in the world, a 6-inch, rapid fire, breech-loading rifle located aft; two water-bow torpedo tubes and perhaps more important than all, one of those dynamite throwers in her bow. She can cruise to any part of the world for she will carry coal enough to keep her going seventy days and by using her water ballast compartments for coal can steam 17,000 miles without recoaling. She will have a speed of 17 knots.

Details of the Thomas design proved interesting. The 235 foot monitor was protected with 10-inch armor, and operated most economically at a

speed of 10 knots and a range of 8,558 nautical miles on 550 tons of coal. During action only four feet of the steel-clad turret top appeared above the waterline.

Theodore D. Wilson, Chief of the Bureau of Construction of the United States Navy, on August 6, 1888, endorsed the Thomas plan for an armor-plated monitor, costing $1,500,000, exclusive of armament, with 10-inch rifled guns and to be armed with one or more 15-inch pneumatic dynamite weapons or weapon. Although no corroborating evidence has disclosed the Thomas plan was adopted, the navy monitor *Monterey* launched in 1891 included features essentially similar to those recommended by him.

The congressman was interested also in a more efficient Navy Department and, in his speeches, sometimes referred to the annual report of 1885 in which the Secretary of the Navy, William C. Whitney, declared:

> At the present time the four heads of departments, instead of cooperating, work independently of each other and not always in harmony in producing their respective parts of a completed ship. After the "Omaha" had been commissioned and was ready for sea, it appeared that the several bureaus working independently upon her, had between them so completely appropriated her space that they had left her coal-room for not more than four days' steaming at her full capacity.

Thomas pointed out that each bureau had separate shops, design and research facilities. Reorganization resulted in the placement of all procurement in the Bureau of Provisions and Clothing, and the centralization of research and design.

Because of pubic interest in the navy, Thomas received many invitations to appear before civic groups in the East and Midwest. Enjoying these experiences, he prepared, by means of "lantern slides," a graphic presentation on the subject "The American Navy—Old and New," which described at least twelve types of ships in use through the Civil War period and some twenty men-of-war beginning with the *Chicago*, *Atlanta* and *Boston*, and including battleships of the *Texas* and *Maine* class. He continued this hobby after his migration to Indian Territory when he made presentations in St. Louis, Missouri; Kansas City, Missouri; Dallas, Texas; and smaller cities of the area.

Upon his doctor's advice, following a serious illness, Thomas did not seek reelection in 1888. During his illness in Washington, many of his colleagues called upon him, including McKinley and Thomas B. Reed of Maine who was chosen Speaker of the House at the next congressional session. As the summer advanced and Thomas's health improved, he became interested in Harrison's campaign to defeat the incumbent president, Grover Cleveland,

for reelection. Thomas helped to marshall members of the Grand Army of the Republic, many of whom had been denied pensions for after-the-war injuries by Cleveland, to Harrison's side.

Senator Matthew "Boss" Quay of Pennsylvania, as National Chairman of the Republican party, made effective use of the organization and employed in the national campaign tactics he had found successful in his home state: campaign contributions from railway, other industrial and business interests, assessments from Republican office-holders and the employment of "floaters" and "repeaters" on election day.

Republican margins of victory in Maine and Vermont during September pointed to success in November. Thomas informed Harrison "that the star in the East illumines the pathway for loyal Republican feet and at the same time proclaims the downfall of the present Anglo-American viceroy." His reference was to Cleveland and a recently publicized incident in which a former Englishman, a naturalized American, asked the British Minister for guidance on how he should vote to serve best his mother country. Sir Lionel Sackville-West, with incredible stupidity, told him to vote for the Democratic candidate. The Republicans obtained a copy of the letter and had it published in eastern newspapers. By a few thousand votes Harrison carried New York, the decisive state, and won election.

By mid-February, 1889, speculation was rife on the selection of cabinet personnel, and many papers pointed to Thomas for the navy post. Premature congratulations by telegram and letter on the appointment were received by him from prominent members of his party, including a communication from the governor of Tennessee, a former Congressional colleague. The *Chicago Daily Tribune* published in Chicago, Illinois, on Februray 19, quoted several representatives who sent telegrams to Harrison to congratulate him on the selection of Thomas. On March 4, the date of Harrison's inaugural, a Washington, D.C. newspaper, *The Capital*, featured on its front page both photos and articles on prospective cabinet members. A picture of Thomas appeared and he was mentioned as the probable Secretary of the Navy. The article, as others had done, commented on his knowledge of and interest in naval affairs and referred to him as the "father of the modern navy."

Perhaps the reason the appointment went to a New Yorker rather than to the party's most knowledgeable man on navy department affairs resulted from machine politics. "When I came into power," Harrison said later, "I found that the party managers had taken it all to themselves. I could not name my own Cabinet. They had sold out every place to pay the election expenses."

It may be assumed that Thomas was disappointed when he was passed

over for the cabinet post inasmuch as there was no evidence that he would have declined such an offer. Thus he returned to Illinois to practice law, a profession he had not abandoned during his congressional career. He was admitted to practice before the United States Supreme Court on March 5, 1883, and made more money from retainer and attorney fees than from salary. When the administration offered appointment as ambassador to Venezuela, he declined, and later when John F. Hartranft, one of the three-member Cherokee Commission, died, Thomas was offered the place but was not interested. He had remarried on November 20, 1884, to Jessie Beattie of Redbud, Illinois, and early in 1890, accompanied by his daughter and son, left Illinois for a two-year stay in Western Europe and Great Britain.

Thomas combined business with pleasure during his absence and represented a group of Chicago businessmen interested in the construction of the Mexican Bluff Railroad and, as their financial agent, he visited steel mills in Germany and Belgium to purchase rails and other railway equipment. American embassy employees in countries visited extended every courtesy and assisted Thomas in fulfilling a cultural aspect of his mission, to obtain from museums the loan of *objets d'art* for exhibition at the Columbia Exposition, to be held in Chicago in 1893. He was eminently successful in this pursuit and, as a director of the exposition, he was placed in charge of the elevated system of transportation and appointed as a member of the committee to meet and entertain distinguished visitors. In recognition of his service to the city of Chicago and to his state and nation, Thomas was granted an honorary Doctor of Law from McKendree College in Lebanon, Illinois, in June, 1895.

Thomas was offered financial backing to run for the office of governor of Illinois in 1896; however, he had pledged support of the presidential aspirations of William McKinley with whom, he stated in a press interview, he had served eight years in Congress "and a considerable portion of the time stayed at the same hotel, and a portion of the time ate at the same table." Thomas had received a personal note from McKinley at Canton, Ohio, on March 2, which stated: "our eight years of service in the House and my pleasant personal relations with you and your family can never be forgotten. You have no warmer friend anywhere and I have not been unobservant of the splendid work you have done in our cause. Keep at it."

Conducting a speaking and handshaking campaign in Illinois during August and September, Thomas concentrated efforts and oratory in "Little Egypt" where his remarkable memory for faces and names helped renew acquaintances among rural friends, many of whom had become converts to Populism with strong leanings toward the free coinage of silver and William Jennings Bryan. The National Committee of the Republican party estab-

lished a speaking schedule which took him to twenty-two towns and cities in Missouri during the closing weeks of the campaign and according to records, the outdoor gatherings varied in size from 700 to 2,500, the largest crowd appearing at Chillicothe, Missouri, for his debate with Congressman Champ Clark. Even though the Republican organization won an overwhelming victory for McKinley in the November election, Bryan carried Missouri by a slim margin.

Although St. Louis and Chicago papers mentioned Thomas as the probable Secretary of the Navy in the new administration, the cabinet post was filled by John D. Long, recent governor of Massachusetts. Governor John R. Tanner, of Illinois, who defeated John P. Altgeld for reelection in November, appointed Thomas, early in January, to represent him at a governor's conference in Tampa, Florida. The Republican platform on which McKinley ran favored the independence of Cuba and Governor H. L. Mitchell of Florida called the conference to consider proper defense of southern harbors in the event of involvement in the Cuban insurrection. Early in June, Washington papers listed Thomas as a frequent visitor to the United States House of Representatives and the White House, and later they reported he had accepted an appointment as a federal judge in Indian Territory.

An additional judge for the territory was provided by an act of Congress on June 7, 1897—the last in a series of Congressional acts which separated Indian Territory from the jurisdiction of the Western District Court of Arkansas. A previous act on March 1, 1889, had taken from the Fort Smith, Arkansas, court portions of its heavily-laden docket, and provided for a United States Court in Indian Territory with jurisdiction over all offenses not punishable by death or imprisonment at hard labor. The new court included all of Indian Teritory, except the Chickasaw Nation and a southern portion of the Choctaw Nation which were included within the Eastern Judicial District of Texas, and granted it jurisdiction over all civil cases between citizens of the United States and residents of the territory, but not between Indians subject to tribal courts. On March 26, 1889, President Benjamin Harrison appointed the former Kentuckian, James M. Shackelford, to be the federal judge over Indian Territory.

Later acts of Congress changed boundaries and jurisdiction of the territorial court, and when Oklahoma Territory was created in 1890, a federal court was provided for the region at Guthrie, Oklahoma Territory. An act of March 1, 1895, created three district courts in Indian Territory with a judge and personnel for each district. The Northern District included the Seminole, Creek and Cherokee nations and the confederated tribal lands in the northeastern corner of the territory with court sessions at Vinita, Miami,

Tahlequah and Muskogee in the Cherokee Nation. The Central District encompassed the Choctaw Nation with South McAlester, Atoka, Antlers and Cameron the court towns while the Southern District for the Chickasaw Nation held session at Ardmore, Purcell, Pauls Valley, Ryan and Chickasha.

The act of June 7, 1897, provided these courts should have exclusive jurisdiction over civil and criminal cases in the territory, except cases between Indian citizens who were still subject to tribal courts. Congress, however, decreed by another act that a phaseout of Indian courts should begin in 1898.

The jurisdiction of the new judges was territory-wide, they were empowered to hold court in any of the districts as necessity required. Judge Thomas also sat twice a year at South McAlester with two of the district judges as a Court of Appeals to review decisions of the trial courts. At the time, Hosea Townsend of Ardmore presided over the Southern District; William H. H. Clayton of South McAlester, over the Central District; and William M. Springer of Muskogee and, later, Vinita, over the Northern District. Thomas learned to respect the abilities of the three jurists. Clayton brought to the bench a background of many years' experience as prosecuting attorney for the federal court presided over by Judge Isaac Parker at Fort Smith. Townsend and Springer were former Congressmen; Springer had served from a neighboring district in Illinois, had chaired the House Committee on Territories while Thomas was busy with naval affairs and had helped guide through Congress the bill that led to the opening of the "Unassigned Lands" in April, 1889. This was the decade when the nation was being treated to the caustic wit of Thomas B. "Czar" Reed, a leader in the United States House of Representatives. The two former Illinois Congressmen could recall the time Springer stated on the floor of Congress he would "rather be right than President" and this brought the quick retort from Reed: "The gentleman from Illinois will never be either."

Thomas brought to the bench infinite patience, extreme tact, a keen insight into character and a stern devotion to duty. He was the first judge in Indian Territory to pass the death sentence on an accused person—death by hanging on gallows erected in the stockade near the jail in downtown Muskogee. The notable Miss Alice M. Robertson recalled the trial in a signed article which appeared in the February 14, 1914, issue of *Gulick's Weekly Review*, a Muskogee newspaper:

> With many other citizens of Muskogee I was in the court room during a portion of the first murder trial held in the federal court. An old fisherman had befriended a sick and penniless wanderer, ministering generously to him from his own scanty store only to be murdered while he slept by the wretched degenerate who killed his benefactor that he might rob him.

Judge Thomas with his family and some friends at his home in Muskogee, Cherokee Nation

Such sordid, pitiless avarice seemed incredible and one could not but feel the most intense abhorrence of the murder.

Throughout the trial Judge Thomas saw that exact justice should be done the prisoner, that every right to which he was entitled should be extended to him. With many others I was in the court room when sentence was passed. An impressive silence held all those present as the prisoner was brought before the judge.

In terse sentences of wonderfully graphic English the crime as shown by the evidence was pictured, the finding of the jury and the penalty prescribed

by law clearly stated. To me the whole scene seemed to speak of the final judgment of mankind.

The Judge administered implacable justice, his voice quivering with horror of the crime and yet with ineffable pity for the criminal. No impassioned pulpit orator, thundering the terrors of everlasting punishment had ever brought to me such a realization of sin, of justice and of judgment as the kindly faced Judge who performed the, to him, abhorrent duty of sentencing a human being to death.

When Judge Thomas held court at Pauls Valley from April to May in 1901, he heard fourteen murder cases in succession; however, the most sensational trial he presided over was held at Muskogee in May and June, 1899. Newspaper reporters from across the nation were in attendance and the *New York Herald* devoted a full page to the story after the trial which included photographs of Thomas, the jury, the courtroom and jail.

The trial was the result of a series of tragic and ruthless events which occurred east of Maud, near the boundary of the Seminole Nation and Oklahoma Territory. Julius Laird, a white tenant, his wife and three small children lived in a farmhouse on land leased from Thomas McGeisey, the superintendent of schools for the Seminoles. The farm was approximately three miles east of Maud and located in the Seminole Nation. Laird had contracted to move to a new farm one mile north of Maud in Oklahoma Territory, and early in the morning of December 30, 1897, he left the Seminole location with a wagonload of furniture for the new site. He planned to do some work there, spend the night and return the next day. According to his son, Frank, an Indian came to the home early in the afternoon to borrow a saddle; however, Mrs. Laird refused the request and the Indian went away. Later he returned with another Indian and killed Mrs. Laird, violated her body and left it in the farmyard where hogs, during the night, mutilated it. Eight year old Frank carried the youngest child, a five-week old infant, to Maud the next morning, and notified his father of the incident. Several men accompanied Laird to the home on December 31, and soon more settlers from Oklahoma Territory arrived. They were organized into groups which took into custody most of the younger Indian men along the western border of the Seminole Nation. The captives were brought to the Laird home in the hope the child, Frank, could identify the two miscreants. McGeisey was at the house that evening when his son, Lincoln, was brought in but he was later released because of lack of identification. The questioning of Indians went on for eight days, and some of the young men were held and tortured. Lincoln McGeisey was brought in a second time, and together with George Harjo, John Washington and Palmer Sampson, all young Seminoles, were chained and held three days without

food or water. At the end of the ordeal on January 7, 1898, Palmer Sampson confessed to the crime and named Lincoln McGeisey as his accomplice. Later evidence proved that young McGeisey was not in the vicinity when the crime was committed and it was not conclusively proved that Sampson was present.

In the meantime, on January 3, Thomas McGeisey went to Wewoka, in the Seminole Nation, to report the action of the mob to W. S. Fears, the United States Commissioner. Fears in turn notified Nelson Jones, a Deputy United States Marshal, and ordered him to seek out the murderers of Mrs. Laird. However, Jones did nothing to disperse the lynch mob. On the afternoon Sampson confessed to the crime, someone reported to the mob that Jones recommended the two Indians be taken across the boundary line before execution. At least sixty-four white men were at the Laird home that evening when the chained captives were placed in a surrey under armed guard. The home was burned and the group made its way into Oklahoma Territory. The avengers and their quarry stopped after midnight at a brush arbor Baptist church about three-quarters of a mile from the Seminole Nation and one-half mile from Maud. Sampson and McGeisey, with chains around their necks, were tied to a small tree and then the dry brush and poles from the structure heaped about them and set afire. The remnants of their burned bodies, still chained together, were carried back to the Seminole Nation and buried after daylight. It was estimated at least 300 men witnessed the burning of the Indian youths.

The action of the lynch mob became common knowledge and the Federal government moved promptly to ferret out the participants. Congress set aside $25,000 for a full investigation and the Department of Justice appointed Horace Speed as a special prosecutor to gather evidence and granted him a fee of $10,000.

When investigations by Speed and deputy United States marshals disclosed the mob had held and tortured Indians during the week beginning on December 31, Congress appropriated an additional $20,000 and designated amounts were distributed to the heirs of the two murdered Indians and lesser amounts to twenty-two others. The Department of Justice also decreed the members of the mob should be tried at Muskogee on charges of kidnapping and arson, as the crimes had been committed in Indian Territory. The maximum penalty for these offenses was set by federal law at twenty-one years' imprisonment.

During the December, 1898, court term at Muskogee, presided over by Judge Thomas, indictments were returned against Jones, the Deputy United States Marshall of Indian Territory and twenty citizens of Oklahoma Territory for kidnapping, or kidnapping and arson, in connection with the

incident. The May term of the court was primarily devoted to these cases, and each was tried individually. The government was represented by the United States Attorney, Pliny L. Soper, his assistant, Orlando J. Wilcox, and Speed. An interpreter was present to take testimony from non-English speaking Seminoles.

In the case of Jones, the first one tried, he was found guilty as charged and, on June 5, 1899, given the maximum sentence by Thomas of twenty-one years in prison. Andrew J. Mathis and Mont Ballard, in separate trials, received ten-year terms. Other cases relating to the lynching were continued to the next term of court when eight additional participants in the mob also received jail sentences.

The most important civil suit adjudged by Thomas occurred at Vinita in the November, 1897, term of court, when the Central Trust Company of New York filed suit against the Atlantic and Pacific Railroad to foreclose its mortgage securing bonds valued at $4,500,000. The suit was sustained and the following month all railroad properties, rolling stock, stations, shops and right-of-ways were sold to the St. Louis and San Francisco Railroad.

Dockets of the federal courts in Indian Territory at the turn of the century were filled with cases pertaining to the dissolution of tribal governments, and Muskogee was a center of activity as a result of the work of the Dawes Commission. It has been estimated that there were more federal employees in Muskogee by the Spring of 1902 than in any city outside the nation's capitol, and more government-franked mail left the post office than from any other except Washington.

One of Judge Thomas's cases considered newsworthy by the press concerned Chitto Harjo—commonly referred to as "Crazy Snake." Harjo, a Creek Indian living near Henryetta, in the Creek Nation, was opposed to allotment, and together with a few followers living near his home, he organized a campaign of threats and intimidation against neighboring Creeks and freedmen who were willing to accept the individual grants of land. Pleasant Porter, Chief of the Creeks, ordered the arrest of the malcontents who were apprehended and hauled by wagons to the Muskogee stockade in January, 1901. Most of the prisoners wore their hair in long braids, but all had their hair cut short except Harjo, and Thomas ordered that his hair be left as he was accustomed to wearing it.

The Indians were indicted on the charge of conspiring to obstruct federal law, and the court-appointed attorneys entered a plea of guilty for the prisoners. Judge Thomas gave each a suspended sentence of two years, and patiently explained to them, through an interpreter, the reason for the court action and their obligations. He dismissed them after obtaining a pledge from each to return home and become a peaceful citizen.

Judge Thomas presiding over the trial of those accused of the deaths of Palmer Sampson and Lincoln McGeisey in December, 1898

Enmeshed in matters of court adjudication and appellate duties on the Territorial Court of Appeals at South McAlester, Thomas became personally involved by the expansion of his home town, Muskogee. A provision of the Curtis Act in 1898 authorized the segregation of townsites and the sale of town lots to the persons occupying them. The act thus laid the foundation for individual land titles in Indian Territory and non-citizens, whether white or black, could then own the lots on which they lived or conducted a business. Thomas approved applications of towns for incorporation, and in April of 1899, a townsite committee for Muskogee, composed of Dwight Tuttle, John Adams and Benjamin Marshall, began the process of platting streets and lots with twenty-five foot frontage in the business district and fifty feet frontage in the residential area.

In July the townsite committee contacted Thomas with reference to the platting of his residential holding and his hand-written reply of July 19, contains not only a description of the property and residence, the home of his daughter, Carolyn Thomas Foreman, for sixty-nine years, but also interesting facts on that part of Muskogee including property at the present address of 1419 West Okmulgee Avenue:

> In reference to your letter of recent date calling upon me for reasons why the parcel or piece of land 300 feet square occupied by me as a home should be regarded and treated as a lot, as contradistinguished from a block, I beg leave to say: At the time, March, 1898, I purchased this piece of ground it was outside the corporate limits of Muskogee. There was not a house within 2500 feet of the spot where my residence stands. Messrs. Pleasant Porter and Clarence W. Turner, two Creek citizens, partners in business had for many years held actual possession of a large tract of land adjoining Muskogee. With the view of establishing a suburban residence addition to the town, they caused a tract of land containing 40 acres or more lying adjoining to and immediately west of Muskogee to be laid off and platted into lots or blocks and streets. The lots are 300 feet square while the streets with the exception of Okmulgee Avenue, which is 110 feet wide, are 80 feet wide.
>
> Being a judge of the United States Court I am under present treaty stipulations entitled to occupy sufficient land for residential purposes and with the intention of establishing a home with ample surrounding ground for garden, barn and barn yard, and small orchard for house and family purposes, I purchased this lot 300 feet square out on the unbroken, virgin prairie from the legal owners of the possessory rights and proceeded to improve the same by building thereon a comfortable 8-room house with outbuildings consisting of a large barn and stable 22 x 36 feet, servants quarters, coal and woodhouse, etc. In addition thereto, I built a large cistern which had to be excavated out of solid rock, sank a well 60 feet deep, 50 feet through solid

rock, and planted 350 fruit and shade trees, the whole being surrounded by a substantial ornamental fence. I purchased and improved this lot for a home for myself and family and not for speculative purposes. It was laid out and platted, and purchased and improved by me as a lot and not as a block. The term block contemplates subdivision into lots.

Paragraph two, section 15 of the Curtis Act provides 'Said commissioners shall cause to have surveyed and laid out townsites. . .conforming to the existing survey so far as possible. This is mandatory and does not authorize the Townsite Commission to ignore existing surveys and subdivided lots as at present platted and established. My lot lies within the lines of the prospective neccessities of the town of Muskogee but not near enough to the center of population or business to warrant the disturbance of present home and residence arrangements. To divide my lot into lots of 50 x 140 feet would place my residence on two lots, my outhouses on another, my barn on another, and, finally, my well on another. I don't believe that such action is warranted either by law or necessity!

On February 15, 1898, the United States Ship *Maine* was sunk in Havana Harbor. One of the battleships constructed from funds of the appropriation bill Thomas was credited with steering through the House of Representatives in 1888, the action aroused the American public and as the cry "Remember the *Maine*" swept the nation, war was declared against Spain. Congress provided for a larger army, with specific instructions to recruit cavalry regiments in the Southwest and the Rocky Mountain region. On April 26, 1898, Secretary of War Russell A. Alger informed judges Thomas and Springer at Muskogee that "We want 175 picked men, good shots and riders for Colonel [Leonard] Wood's regiment. Arms, mounts, and equipment to be furnished at the general rendezvous of regiment. When can you have them ready for muster and where?" Replying to Alger's message Thomas declared "Can furnish 200 men, class required, by middle of next week. Where is rendezvous for Colonel Wood's regiment? Muskogee best place for examination and muster." Evidently, on April 26, Thomas contacted judges Clayton and Townsend on the recruitment needs, and they stated that they "Can furnish the 50 requested or whole 175 if desired. Wire instructions."

Alger sent similar telegrams to the territorial governors of Arizona, New Mexico and Oklahoma, and because Thomas took the initiative at Muskogee, he was unofficially referred to as the "War Governor of Indian Territory." The recruits formed the First Volunteer Cavalry, composed of men from the Southwest with a sprinkling of young men from eastern colleges. The regiment was placed under command of Colonel Leonard Wood with

Lieutenant Colonel Theodore Roosevelt as second in command; however, the enthusiastic but undisciplined group quickly became known as "Roosevelt's Rough Riders."

Muskogee was selected as the mustering point for Indian Territory recruits acceptable to form Troops "L" and "M" of the regiment. First Lieutenant Allan K. Capron, Seventh United States Cavalry at Fort Sill, Oklahoma Territory, came to Muskogee to assist in screening applicants, and Dr. F. B. Fite of Muskogee, was the medical examiner. During this period of high excitement, before news of the victory of the Pacific Squadron in Manila Bay, in the Philippine Islands, was received, the *Muskogee Phoenix* commented on activities of Thomas and declared:

> Today the May term of the U. S. Court will again convene with Honorable John R. Thomas presiding. Judge Thomas has now been with us nearly ten months and during this time he has made himself quite a record as a jurist. He has tried and disposed of over seven hundred cases. Besides the minor offenses which have come before him within the past month, he has passed sentence on no less than five very important cases in which he has sentenced two men to life imprisonment, two men to be hanged, and in the opera house the other night in the presence of a large audience, he passed sentence on the entire Spanish navy and condemned it to everlasting defeat.

The judge obtained quarters for the men accepted for service. Recruits were housed in the Women's Christian Temperance Union building on the east side of town where they slept upstairs on hay strewn over the floor. As the weather turned warm, the dormitory room became hot at night and mosquitoes were bothersome. Late one evening a sentry demanded what a recruit thought he was doing when he came downstairs carrying a handful of hay. The young man replied that he was moving his bed downstairs. His lack of knowledge of military discipline was little less than that shown by Roosevelt a week later. After conducting the troop through mounted drill on a particularly hot day in San Antonio, Texas, Roosevelt had them dismount near a tavern and invited them inside to drink all the beer they wanted, as his guests.

Before the recruits left Muskogee, the regular army officer, Capron, was appointed captain of Troop "L." Thomas's son, John R., Jr., a recent graduate of Dickinson College in Carlisle, Pennsylvania, and at that time employed as a reporter for the Chicago *Interocean*, was made First Lieutenant. During the afternoon of May 14 the troops were assembled at the railway depot to hear a patriotic speech by Thomas, followed by a response by Capron, and then they boarded a special train furnished by the Missouri, Kansas and Texas Railway for the trip to San Antonio, the rendezvous

point for the regiment. Thomas, his daughter Carolyn and his secretary, David Dickey, accompanied the group and remained at San Antonio until the First Volunteer Cavalry was entrained for Tampa, Florida, two weeks later. Roosevelt arrived at the camp on May 15, to take part in the short period of training and on June 8, the regiment went aboard ship at Tampa. Five days later it sailed for Cuba and, on June 22, landings were made at a small port called Daiquiri. Horses, except those for officers, were left in Florida, and the "Rough Riders," now an unmounted cavalry unit, were ordered forward to contact the enemy the next day. In the first volley of the battle Capron was killed and Thomas wounded.

A list of those killed in action was published in several papers and it erroneously included the name of First Lieutenant Thomas. When Judge Thomas by telegrams was unable to verify the report, he went to Washington and learned his son had been wounded and transported to the hospital ship *Olivette*. The judge and his daughter then traveled to New York City to meet the ship and on the day of its arrival they were taken on a cruise up and down the harbor by navy personnel before boarding the hospital ship to greet his convalescing son.

Actual combat for the "Rough Riders" ended in the vicinity of San Juan Hill and Kettle Hill on July 1. Two days later Santiago, Cuba, fell and, offshore, the Spanish fleet was destroyed in a running battle which ended the war. The regiment was returned to the United States, put ashore on August 15, and demobilized within two weeks.

Thomas sent a congratulatory message to Commodore Winfield S. Schley after the naval battle near Santiago and the reply, penned from the flagship *Brooklyn*, at Guantanamo, Cuba on July 26, 1898, hinted at a controversy between his partisans and those of Admiral William T. Sampson on the conduct of the engagement, a controversy not satisfactorily decided three years later by a Naval Court of Inquiry:

> Thank you so much for your note. I am afraid more credit is being given to me than I deserve for the victory of July 3d, but I esteem it a high honor to have held a place where the first assault fell and to have been able to keep in the path to the end. I do not think that I ought to be praised and Sampson abused for that amouts to a great event in our history and it is in no sense pleasing to me.

Territorial federal judges were appointed to four-year terms or to serve until a successor assumed duties; however, they could be reappointed. As Thomas's term drew to a close in 1901, there were many solicitations forwarded to Washington for his reappointment. These included resolutions and letters from chiefs of the Cherokee, Creek and Seminole nations, from

other Indian citizens and from members of the Indian Territory Bar Association. The letter written by Judge Hosea Townsend of the Southern District expressed the consensus:

> Judge Thomas is an exceedingly bright man, possessing a mind of great analytical powers, and is an able lawyer. I have been brought in contact with Judge Thomas as a member of the Court of Appeals of this territory and have had the opportunity to observe the breadth of his views, his broad and extensive knowledge of the law, the acuteness of his mind, all of which eminently fit him for the bench. In addition, he is socially a charming man, one of the most entertaining in private conversation I have ever met, and has to a great degree the capacity to make friends and make himself popular with the masses of people. In court, he presides with dignity and is active and zealous in the discharge of the duties of his office.

His well-intentioned friends could not offset the power of patronage wielded by "Uncle Joe" Cannon of Illinois, influential member of the national House of Representatives. Charles W. Raymond of Cannon's home state received the appointment to succeed Thomas and assumed duties as federal judge on August 19, 1901.

Nonetheless, Thomas established a law office in the Turner Hardware Building, in Muskogee, and for the next twelve years was recognized as the legal leader of the region. He was joined in practice by a young lawyer, Grant Foreman, a graduate of the University of Michigan School of Law and recent employee of the Dawes Commission.

These were among the busiest and most productive years of the former congressman and federal judge. He was employed by officials of the Cherokee and Creek nations on problems arising from the dissolution of tribal governments, by individuals and companies in civil suits and by towns and cities seeking incorporation. Thomas was also the recipient of many invitations to speak at public gatherings, and a favorite at Lincoln Day gatherings because of his background in Lincoln country and his anecdotes and the fund of poetry he had committed to memory. When important politicos from Washington visited Muskogee, they were entertained in his home, time permitting, or called upon him at his office. Thomas was on the platform to introduce Charles W. Fairbanks, when the Vice-President of the United States spoke at South McAlester on October 25, 1906, and was a member of the reception committee to greet President Theodore Roosevelt in Muskogee on April 5, 1905. In clear, resonant tones Thomas delivered his short, introductory remarks and then, amidst a great ovation from former members of the "Rough Riders" and others of the crowd assembled, the President began his rapid-fire delivery in shrill tones on the

advantages of single statehood. Among the hundreds gathered to hear Roosevelt was an old negro woman who, after listening to him awhile, was heard to remark: "Why don't that ugly little man sit down and let our President [Thomas] talk some more."

An incident marred his personal life during this period. On August 15, 1901, he and his wife, Jessie Beattie, were separated, and on August 26, he filed divorce proceedings on the grounds of "long continued infidelity and adultery." The divorce was granted February 13, 1902, and later Jessie Beattie, who had returned to Illinois, filed suit for possessory rights to the Muskogee residential property. For some undisclosed reason, the patent to the property, lots 1 through 12 of block 174, issued by the townsite committee in 1889, had been made to her. Thomas employed Horace Speed as his counsel, and the suit was unanimously decided in his favor by the Oklahoma State Supreme Court in the November, 1911, term.

In August and September of 1905, delegates met in Muskogee for the Sequoyah Constitutional Convention, a movement seeking statehood for Indian Territory. Thomas was Vice-Chairman of the Committee on the Constitution, Chairman of the Committee on the Judiciary and a member of the Legislative Committee, and much of the proposed constitution was written in the Thomas-Foreman law office. William H. Murray and Charles N. Haskell, two of the delegates who were to have leading roles the following year at the single statehood constitutional convention at Guthrie, were high in praise of Thomas's assistance at the Sequoyah Convention and before the November 7 election date set for the proposed state of Sequoyah, Thomas, Murray, Haskell and others campaigned in many towns and cities in Indian Territory and won a favorable reception for their efforts.

Before the Sequoyah Convention had adjourned, four congressmen-at-large were nominated by the delegates—Thomas, C. L. Long, D. C. McCurtain and Joseph M. LaHay. The delegates also provided for write-in candidates on the ballot, and as a tribute to the reputation of Thomas, he received more votes in the election than any of the other nominees. Although 56,279 votes were cast for the constitution and 9,073 against it, President Theodore Roosevelt refused to consider separate statehood for Indian Territory.

The *St. Louis Globe Democrat* on November 13, 1905, reported that Thomas was in Washington and had called upon Roosevelt. Its correspondent conjectured that Thomas would be reappointed federal judge to succeed Raymond, "a constituent of Speaker Cannon." Actually, Thomas was not interested in returning to the bench, and had called at the White House at the President's request to be questioned on prospects for single statehood by combining Oklahoma and Indian territories. Roosevelt could

Grant Foreman, Judge Thomas's son-in-law and law partner

trust the veteran leader of his party who sought no political preferment for himself or friends. Also the President knew of the respect accorded Thomas by Indian leaders and members of the Indian Territorial Bar Association.

Two years later, on September 2, 1907, Thomas; M. L. Mott, the Creek National Attorney; and Pleasant Porter left Muskogee on a matter involving tribal affairs for a trip to St. Louis. They rode a Missouri, Kansas and Texas Railroad train to Vinita to catch the St. Louis and San Francisco Railroad train for the overnight ride into Missouri. While awaiting the arrival of the latter, Chief Porter was suddenly stricken with illness and died at the Cobb Hotel. Thomas was called upon to give an eulogy at the burial services for Porter.

Although of differing political faiths, Thomas was frequently consulted by his fellow townsman and Oklahoma's first governor, Charles N. Haskell. When the constitution for the state was written, Article V included Section Forty-three which declared: "The Legislature shall, in the year Nineteen Hundred and Nine and each ten years thereafter, make provisions by law for revising, digesting, and promulgating the statutes of the State." This was obviously necessary because statutes in Oklahoma Territory since 1890 had been lifted from the codes of New York, Nebraska and other states, while only the laws of Arkansas were applied to Indian Territory.

The First Oklahoma Legislature enacted legislation to implement Article V, Section Forty-three, of the constitution. A Code Commission was created to annotate and revise as necessary the cumulative statutes since 1890. Governor Haskell persuaded Thomas to serve on the commission, along with S. H. Harris, Jean P. Day, John M. Hays and W. R. Brownlee—all prominent lawyers.

Thomas found this work exacting and extremely interesting. Together

with John Hays and William Brownlee, he devoted many hours to the work of revising, updating and deleting the obsolete and repetitive sections; incorporating their work into articles, chapters and sections; and lastly, annotating. They visited the publishing firm in Columbia, Missouri, where they read proof and made corrections on the 3,000 pages of statutes before they submitted their work in November, 1910.

During his Oklahoma experience, Thomas looked forward to week-long fishing trips in remote spots reached by wagon from some railroad point. These trips were carefully planned with fishing companions, and while his cronies busied themselves with pole fishing in deeper pools and setting bank hooks, throw and trotlines, Thomas sought wilder waters to cast for game fish.

At an earlier period in his career, between sessions of Congress, he had enjoyed vacations in Maine and the Maritime Provinces of Canada where he became an expert salmon and trout fisherman. He brought to Indian Territory a tackle box filled with exotic wet and dry flies, other artificial lures, filament, small hooks and sinkers and an adeptness in fly and bait casting that provided an instant challenge in the brownies, bream and bass in the clear running streams of the Cherokee and Choctaw nations.

Thomas was an excellent marksman and his friendly competitors learned early in his territorial experience to ban him from the pre-Thanksgiving turkey shoots so popular in that age. His love of sports, also was typified by the fact he was always accompanied by a pet dog, of any lineage, on his walks or drives into the country. If he had any pride in ownership, it was centered in the horses he rode or drove, all thoroughbreds, on which he kept a carefully recorded pedigree book.

On January 19, 1914, Judge Thomas was in McAlester, Oklahoma, to interview Abraham Collier, a prisoner sentenced to a seven-year term in the penitentiary on a conviction of larceny. Thomas stopped at the First National Bank for a short visit with the president, Perry Freeman, who, like Thomas, was active in the Masonic order. Freeman promised to drive his elderly friend to the penitentiary but, at the last moment, had to stay at the bank so sent the judge in his car.

Thomas was seated in the warden's office only a few minutes when the state's most serious prison outbreak occurred. Three armed convicts, Tom Lane, Chiney Reed and Charles Kuntz, burst into the room and, without warning or mercy, commenced firing. Thomas; D. D. Oates, the assistant deputy warden; and F. C. Godfrey, the day sergeant, were killed immediately, as was H. H. Drover, who was in the corridor. Wounded by direct fire or ricocheting bullets were Miss Mary Foster, a stenographer who was

Judge Thomas, his driver and one of his pet dogs, which always accompanied him on his outings

shot in the leg; J. W. Martin, a turnkey who received a wound in the cheek; and C. B. Woods, a guard who was shot in the arm.

The wanton killing and prison break made headlines throughout the nation and many messages of condolence were received by Thomas's daughter and son-in-law—Grant and Carolyn Foreman. Joseph A. Gill, a federal judge, delivered a memorial speech at the Muskogee courthouse to 150 lawyers gathered to pay their respects to Thomas, and county and state bar associations passed resolutions on his career at their next stated meetings.

Services were held for Thomas in his home by the Reverend Hugh J. Lloyd of Grace Episcopal Church, and interment was in Greenhill Cemetery, at Muskogee, where military honors over his flag-draped casket were held. On November 8, 1924, his body was moved to Arlington National

Cemetery in Washington, D.C., to a plot near his half-brother, Dr. Thomas A. Berryhill, and later his son, John R. Thomas, Jr., who died August 9, 1933, was buried alongside him.

RADICAL LABOR IN OKLAHOMA: THE WORKING CLASS UNION

*By Sherry Warrick**

Sasakwa, Oklahoma, was hot in August, 1917, especially for the four men hiding in a ravine. Waiting on the edge of the depression, the posse members endured the sun that broiled down until even the knee high grass stood stiff. Fleeing from the posse for several days, the hunted men had now been cornered and expectantly awaited their fate. In the ravine a honey bee buzzed past, shearing the stillness like a slow bullet. Then the hot silence was broken again as the leader of the posse yelled, "come on out and surrender!" His command hung in the heat a moment while his men riveted their eyes to the banks of the small canyon.

Suddenly hot-tempered Wallace Cargil, one of the fugitives, screamed back from a thicket, "like hell I will!" Jumping up in full sight of the posse, he began dodging through the underbrush. Only a short distance away Arthur Bowles, a member of the posse, raised his rifle and fired. Cargil fell with a gaping hole in his stomach and slumped in the dead grass. He was a victim of Oklahoma's Green Corn Rebellion, a revolt instigated by the Working Class Union to avoid compulsory military service and to force the United States to withdraw from World War I.

Although the Working Class Union functioned from its founding in 1914 until 1916 as a nonviolent labor organization catering to the working class, by 1916 it was well on its way to aggressive radicalism, as its Ku Klux Klan-type night riding activities indicated.[1] Also, by this time the union had a vigorous leader at its head—L. C. McNabb.

In the fall of 1914, McNabb, the Sequoyah County Attorney, ran for and won the office of Sequoyah County Judge, and did so apparently with large popular support. However, nearly one year later, in November, 1915, McNabb resigned. Saying that the people needed an attorney to fight their battles, he left the office to accept a position handling usury cases with the Working Class Union.[2]

McNabb wasted no time; by his own admission he had by March, 1916, filed some sixty suits and obtained judgments in about fifty. In the middle of January, 1916, the Muskogee, Oklahoma, *Times-Democrat* stated that McNabb had gained the backing of one influential banker, L. M. Nakide-

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* The author received her Master of Arts degree from the University of Oklahoma and is presently with the Newspaper Research Library of the Oklahoma Historical Society.

1 *Harlow's Weekly* (Oklahoma City), January 1, 1916, p. 4.

2 *Sequoyah County Democrat* (Sallisaw), November 12, 1915, p. 1.

men of Fort Smith, Arkansas, who agreed to charge no more than the legal ten percent interest. Continuing, the paper declared that, "every man in Sequoyah County—it matters not what profession or occupation he may follow—whether he be a farmer or a banker—should praise the good and hard labor L. C. McNabb has put forth in order to accomplish what he had for the people."[3]

Yet, just a month after he was so highly praised, McNabb was facing disbarment proceedings, because of the actions of area bankers in an effort to prevent him from continuing his usury fight.[4] Reputable Sallisaw, Oklahoma, townspeople claimed that the Working Class Union threatened trouble should any legal action be taken against McNabb. Support for McNabb was so great that authorities feared to try him in his hometown of Sallisaw, and the proceedings were moved to Muskogee. Nonetheless, the Working Class Union continued to threaten that if the court proceeding persisted "about three of these fellows will be killed in court, two or three Sallisaw banks will be blown and barns will be burned throughout Sequoyah County."[5] In a hushed 1:00 a.m. conference, court officials adjourned, with the stipulation that the disbarment would resume later when tempers were not so high.

To those aligned against McNabb and his radical Working Class Union the situation was grave. Ray O. Weems, who was in the farm loan and mortgage business in Sallisaw and opposed to McNabb's ideas, contacted Ancel Earp, chief clerk of the governor, and declared, "I actually believe that he [McNabb] could instigate the burning of this blamed town if he wished to do it. It won't surprise me at all if somebody is killed within two months, unless something happens to quiet things down."[6]

The situation was so serious that a Muskogee attorney pleaded with Governor Robert L. Williams, that the "attys representing the petitioners have been threatened with violence bodily and otherwise. The Sheriff has repeatedly told us that he is unable to cope with the threatened mob." Continuing the lawyer stated, "if the case proceeds as at present loss of life and destruction of property will follow."[7]

The proceedings against McNabb were continued in the spring of 1917

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[3] *Muskogee Times-Democrat* (Muskogee), January 15, 1916, p. 2.

[4] *Ibid.*, March 6, 1916, p. 1.

[5] *Ibid.*, February 22, 1916, p. 1.

[6] Ray O. Weems to Ancel Earp, undated, Earp Letters, Oklahoma State Archives, Oklahoma City, Oklahoma.

[7] W. C. Halfhill to Governor Robert L. Williams, February 23, 1916, Williams papers, Oklahoma State Archives, Oklahoma City, Oklahoma.

and resulted in his exoneration of the charges. Soon he was campaigning against W. W. Hastings in an election for United States Congressman. In the balloting McNabb received slightly over 3,000 votes, an indication of the decreased strength of the Working Class Union and McNabb's declining influence.[8] He commanded the support of the union only as long as he was actively prosecuting usury cases in its behalf; however, forced to spend time fighting his disbarment and then campaigning, McNabb was abandoned by the union.

The Working Class Union members preferred instead to follow the more direct and active course begun while McNabb was yet fighting their usury cases. This was a course set by a member of the Industrial Workers of the World, H. H. "Rube" Munson. Instrumental in guiding the radical turn the Working Class Union took in early 1916, Munson bore the title of "state organizer" for the organization and was constantly promised aid from the Industrial Workers of the World.[9] It was Munson's brand of radicalism which flavored the attempted revolution in both Arkansas and Oklahoma.[10] Preaching at a meeting in April, 1917, Munson declared, according to one observer:[11]

> He had found the locals dead and had put life into them and he, his wife and secretary had worked hard, gone hungry, not even having sugar for the rice on which they mainly subsisted, and that we were about to have the greatest war of our lives and we had better get ready for it. He said that we had to protect ourselves and our families; that if we did not, our young men would be sent to Germany to fight, our old men put on ten-thousand-acre farms to raise food to feed the young men and that college and school boys would live with our wives and daughters. He said that we had our wives harnessed to cottonsacks, our babies lying on the ground in the shade and their eyes being eaten out by ants and other insects, and we ought not to stand it any longer. We voted to oppose the draft law and fight, if necessary, to prevent going to Germany. Resolutions to this effect were to be written and sent to a convention of other locals.

Arranging to continue his speeches, Munson generally looked after the needs of the Union by posing as a peddler or pretending to be an "agent for

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[8] *Harlow's Weekly*, August 19, 1916, p. 9.

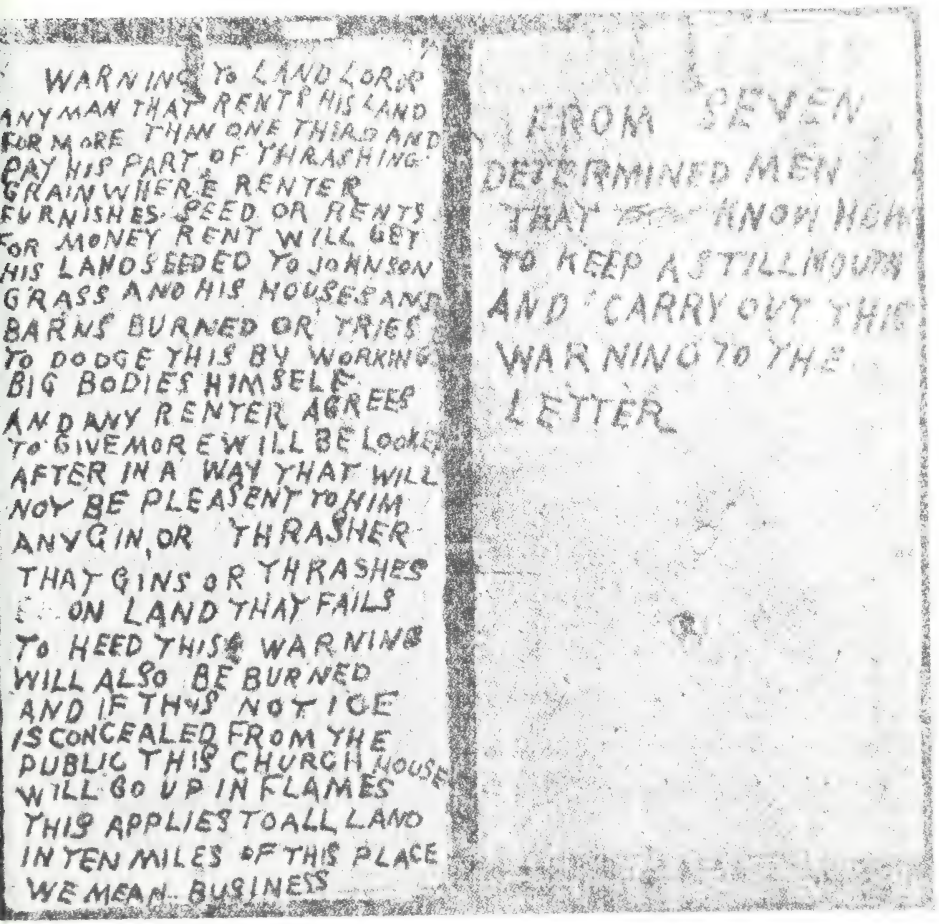
[9] *Daily Ardmoreite* (Ardmore), October 17, 1917, p. 1, October 31, 1917, p. 1; Harrison George, *The I.W.W. Trial* (Chicago: Industrial Workers of the World, n.d.), pp. 10–11.

[10] *McAlester News Capital* (McAlester), September 20, 1917, p. 1; *Arkansas Gazette* (Little Rock, Arkansas), June 29, 1918, p. 2; Charles Bush, "The Green Corn Rebellion" (Unpublished University of Oklahoma Master of Arts Thesis, Norman, Oklahoma, 1932), p. 13.

[11] *Daily Ardmoreite*, October 31, 1917, p. 1.

something." In this way he kept the local organizations functioning, carried messages that could not be sent through the mail and agitated for the fulfillment of his ideas.[12]

This action was typical of the Industrial Workers of the World, and Munson proved to be the principal agitator who fanned agrarian discontent into open rebellion.[13] Farmers were told that thousands of men in Kansas,



Notice posted by members of the Working Class Union warning landlords of charging usurious rates

12 *Ibid.*
13 *Ibid.*

Missouri and Texas were ready to revolt and that once the Federal government was overthrown there would be a general division of the money of the rich among those men "working for wages."

During the first week of June, 1917, and two months before the outbreak of violence that was labeled the Green Corn Rebellion, Munson was arrested in Sallisaw and taken to Muskogee, where he was charged by federal authorities with conspiracy against the government for disseminating anti-draft material. Jailed during the actual disturbance, Munson was nonetheless instrumental in projecting radical action and ideology into the Working Class Union.

Beginning in 1916, the Working Class Union instigated a series of night riding flogging sprees which indicated a tendency toward violence and a disregard for the law.[14] The union, catering to its tenant farmer following, ordered that no farm was to be worked the coming year if it belonged to a banker or lender charging usurious rates. R. W. Hines was a special target of the Working Class Union, and his tenant, Harry Berna, was dragged from bed in the middle of the night, tied to a tree and flogged with a wet rope until the blood ran. This action was a result of Berna's insistence of working the land in defiance of the Working Class Union demands[15]

In late February, 1916, when the members of the union were threatening dire consequences if McNabb was tried, three houses were burned within twenty-four hours—two of them belonging to Hines and the third to a strong supporter of Hines. By this time five men had endured the wet rope treatment by masked and slicker-covered night riders. Yet, during the fall and winter months there was a noticeable decline in violence. This resulted from the sentencing of several Working Class Union members to the penitentiary for their actions in the night riding and wet rope sprees.[16]

As the union was obviously becoming more violently active, it also was beginning to expand beyond the Sallisaw area. A coal company at Milton, Oklahoma, reported trouble in March 1916, with a "bunch of I.W.W. sympathizers who claimed to be Socialists and have organized themselves into the 'Working Class Union.'" This group was reported to be "part of the same bunch that is operating around Sallisaw, Oklahoma."[17]

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[14] *Harlow's Weekly*, December 13, 1916, p. 4.

[15] *Muskogee Times-Democrat*, December 19, 1915, p. 1; *Ada Weekly News* (Ada), January 6, 1916, p. 7.

[16] *Muskogee Times-Democrat*, February 24, 1916, p. 1; *Harlow's Weekly*, January 31, 1916, p. 8.

[17] E. S. Lawther, to Governor Robert L. Williams, March 4, 1916, Williams Papers, Oklahoma State Archives.

In April, a local was formed in Muskogee by A. R. Bayers who declared that, although the county was just beginning to organize, there were already 1,800 members. Stating that the organization was not guilty of many of the things claimed, Bayers pointed to the first paragraph in the Muskogee County chapter's constitution which read, "We stand for law and order and just and equal rights to all and special favor to none."[18]

No matter how passive the new Muskogee chapter started, by August its members were as threatening as those around Sallisaw. Members of the Muskogee local were posting Ku Klux Klan letters on the doors and gateposts of every farmer's residence in the area who was not a member of the Working Class Union. One threat in McIntosh County declared: "Notice. to the people that don't belong to the W.C.U. they have got to join. the W.C.U. is called the Working Class Union. We hereby notified you to come in and join our lodge in sight of 30 days. if not we have got a way to make you join. take warning. the W.C.U."[19] The *Muskogee Times-Democrat* commented on the situation, and stated that many "of the farmers of the Warner district are expecting a civil war between the farmers who are not members and those who are members of the Working Class Union."[20]

Violence also was spreading to Pontotoc County where night riders dynamited dipping vats and burned the barns of two county commissioners. County Attorney Arden L. Bullock contended that the "barns were situated in widely separated parts of the County and were destroyed about the same hour of the night, and is undoubtedly the work of the same parties who were responsible for the blowing up of the vats, in as much as these two County Commissioners voted in favor of the appropriation [of money apparently for building the vats]."[21]

Several Pontotoc County officials received threatening letters. One addressed to the sheriff warned him to "let up on dippin cases or git out of offis. We aim to run things to sute us and ull git what Comming to you if you interfer"[22] County Attorney Bullock was warned, that if he "don't go dam slow trying to catch the ones that blew up the vats and burnt barns you'll git what Malone and Gilmore [the owners of the barns] got and worse. Your to dam smart."[23]

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[18] *Muskogee Times-Democrat*, April 1, 1916, p. 8, and April 6, 1916, p. 3; *Harlow's Weekly*, April 15, 1916, p. 7.

[19] *Muskogee Times-Democrat*, August 8, 1916, p. 1.

[20] *Ibid.*

[21] Arden L. Bullock, to Governor Robert L. Williams, December 16, 1915, Williams Papers, Oklahoma State Archives.

[22] *Muskogee Daily Phoenix* (Muskogee), January 6, 1916, p. 1.

[23] *Ibid.*

The radicals followed the threatening letter to Bullock with an attempt on his life. Early one morning when he arose from bed to get some medicine for an upset stomach, he struck a match for light and someone fired a shotgun into his house. However, hearing a noise at the window, Bullock dropped to the floor, and escaped injury, even though the buckshot narrowly missed him.[24]

Threatening to "blow a hole" in the town of Ada, Oklahoma, the radicals notified the *Ada Weekly News* that the "paper accuses the socialist [of] burning up those barns. We did and we will blow up your office by jan. 1st. You watch. Our plans are complete. You may think it is a joke. Watch and c. RED FLAG."[25] From the Ada area the Working Class Union spread west, and by September it had members in Washita County. A sign was found nailed to the door of a church near Cordell, Oklahoma, indicating that the organization was active in that part of the state and that a feeling of bitter discontent was growing in regard to the tenant farmer situation. The message declared:[26]

> Warning to Land Lord any man that rents his land for more than one third and pay his part of thrashing grain where renter furnishes seed or rents for money will get his land seeded to Johnson grass and his houses and barns burned or tries to dodge this by working big bodies himself and any renter agrees to give more will be looked after in a way that will not be pleasing to him any gin or thrasher that gins or thrashes on land that fails to heed this warnign will also be burned and if this notce is concealed from the public this church house will go up in flames we mean business from seven determined men that know how to keep a still mouth and carry out this warning to the letter.

By June, 1916, officials in McCurtain County also were investigating an organization "working almost fully with farmers who say they will resist even unto death and that officers coming to arrest them can come at their own risk."[27] Defiance of the government, similar to that in McCurtain County, was prevalent throughout much of eastern Oklahoma in the months before the Green Corn Rebellion. Union organizers flocked to Oklahoma, particularly from Kansas, to hold "agricultural meetings." After conducting brief discussions of crops, they seized the opportunity to present radical speeches including the advocating of the overthrow of the

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[24] *Ada Weekly News*, January 6, 1916, p. 6.

[25] *Ibid.*; *Harlow's Weekly*, January 1, 1916, p. 4; *Muskogee Times-Democrat*, December 17, 1915, p. 1.

[26] *Harlow's Weekly*, September 17, 1916, p. 6.

[27] *Ibid.*, June 6, 1917, p. 4.

government. Linking World War I with the economy, the agitators argued that the war was the immediate source of the farmers' woes and the draft a threat because it would take them and their sons from the land.[28]

After indoctrinating enough people, a local would be formed, and secret meetings held. Consequently, late-night radical gatherings grew more numerous. This was particularly true among the blackjack covered hills ringing Sasakwa and along the valley of the Canadian River. The gatherings continued to increase to the point that immediately preceding the rebellion, union members were meeting as often as three times weekly.[29]

Earl Ebert was among the more active of the agitators. Jailed in Henryetta, Oklahoma, for urging coal workers to strike, Ebert was completely dedicated to the radical movement. The twenty-six-year-old agent carried a personal letter ordering him to keep the mines from operating, and a photograph of Frank Little, an agent of the Industrial Workers of the World, who a few weeks earlier had been lynched in Butte, Montana—"Martyr" was written on the back, perhaps to add encouragement. Ebert also had illustrations of train wrecks labeled "our Revenge."[30]

Other speakers at Working Class Union meetings were as radical as Ebert. H. C. Spence, a Sasakwa man who avidly followed Munson's preaching, obtained a position in the union's hierarchy and at one meeting reportedly declared, "Abraham Lincoln said that the most dangerous weapon in the world is a match. There are plenty of matches left (and he held a handful aloft). We can beat this army draft by using matches."[31]

The entire area along the lower Canadian River blossomed with antiwar posters. Among other things the messages declared: "Now is the time to rebel against this war with Germany boys. Boys get together and don't go. Rich man's war. Poor man's fight. The war is over with Germany. if you don't go and J. P. Morgan & Co., is lost. Their great speculation is the cause of the war. Rebel now."[32]

Answering the call to rebellion, many farmers attended secret meetings at night in the countryside. There, facing their leaders with leathered hands on both a Bible and a butt of a six-shooter, they repeated what was known as the creed:[33]

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[28] *Enid Events* (Enid), August 10, 1917, p. 1; Oscar Ameringer, *If You Don't Weaken* (New York: Henry Holt and Company, 1940), p. 351.

[29] *Daily Oklahoman* (Oklahoma City), August 6, 1917, p. 1.

[30] *Holdenville Democrat* (Holdenville), November 2, 1917, p. 1.

[31] *McAlester News-Capital*, August 10, 1917, p. 1.

[32] *Harlow's Weekly*, August 15, 1917, p. 4.

[33] *Shawnee Daily News Herald* (Shawnee), September 23, 1917, p. 1; *Daily Oklahoman*, September 29, 1917, p. 8.

> We know this was a war brought on by Wall Street, and we poor devils have got to fight it. Therefore, we have and will continue to organize under the title W.C.U. until our membership is great enough to protect us from going to Europe. We will stand by each and everyone of the W.C.U. members from arrest by any federal, state, or county officers in the following manner. [This statement was followed by seven lines of X's.] War is hell and we are not going to hell. How we are going to resist. [Five more lines of X's.] We and our families are going to live while we stay out of war. [Again five lines of X's.] We must keep our membership cards hid.

As the farmers swore to this, they moved from a mild socialist position to a radical, direct-action form of Industrial Workers of the World socialism. It was no longer reform through elections as the Socialists advocated, but reform through "any means necessary." During Munson's tenure as organizer, the union devised a membership card with a "Constitution" printed on one side. The last line of the document declared that members of locals shall use "any means necessary to secure the aims of the union to better the condition of the working class."[34]

"Any means necessary" included rebellion, and as the date for the revolt neared, the dissident farmers stubbornly believed their numbers totaled 35,000 in Oklahoma; 50,000 in Texas; and 3,000,000 nation-wide. Some of the leaders worked with the understanding that the revolt had connections in Germany and would be well-financed.[35]

Expecting to be a part of the 3,000,000 who would force the Federal government to capitulate, many local men collected arms to prepare for the insurrection. Guns and dynamite were hidden or buried in creek beds, plowed fields and weed patches. One man traveled to Oklahoma City, Oklahoma, and purchased high-powered weapons and ammunition in a "Black Cat" hardware store where the dealer told the buyer that the members of the Working Class Union could count on 6,000,000 Germans in this nation to help them in their revolt.[36]

The revolt, as the agitators planned it, was to begin July 27, 1917; however, the date was postponed to August 2. Planning to burn bridges, destroy railroad trestles and cut telephone lines, the radicals then were to raid Sasakwa and loot it for arms and provisions before their subsequent march

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[34] *Daily Ardmoreite*, October 30, 1917, p. 8.

[35] *McAlester News-Capital*, August 18, 1917, p. 1; *Ada Weekly News*, September 27, 1917, p. 1; *Wewoka Capital-Democrat* (Wewoka), August 9, 1917, p. 1; *Harlow's Weekly*, September 26, 1917, p. 6.

[36] Interview, Mont Bond, Holdenville, Oklahoma, November 4, 1971; *McAlester News-Capital*, August 18, 1917, p. 1, and August 20, 1917, p. 1; *Daily Ardmoreite*, October 31, 1917, p. 1.

Deputy Sheriff Bill Cross who was wounded in an ambush by members of the Working Class Union

on the nation's capital. Yet, these plans, two years in the making, barely materialized.[37]

The revolt was not a complete surprise to lawmen. Members of a smaller affiliated group of the Working Class Union, the "Jones Family," had been arrested on July 18, through the work of two federal secret service agents who had infiltrated the organization. An anti-draft organization in Pottawatomie and Cleveland counties, the "Jones Family" planned to raise "the red flag of revolution in all parts simultaneously, to burn property, raid grocery stores for supplies and hardware stocks for guns and ammunition, and to slay and pillage."[38] Fear of the "Jones Family" was so great that one member of the organization, J. C. Harrod, attempted to commit suicide during his trial rather than testify concerning the aims of the group.[39]

With members of the "Jones Family" in jail, officials learned something of the plans of the Working Class Union. The lawmen also had an informant, Al Huckleberry, who was a former Socialist and to the radicals a potential union member. Attending the radical gatherings, Huckleberry attempted to discourage the growing tendency toward revolution. And after every meeting, he met Seminole County Attorney Al Nichols and County Sheriff Frank Grall to discuss the situation.[40]

This information enabled the local peace officers to discover what was happening in the countryside. As a result, in an attempt to observe a radical meeting on August 2, Sheriff Grall and Deputy Bill Cross rode into an ambush near Sasakwa. Cross was wounded and the two men were forced to flee to Wewoka, Oklahoma, for medical aid.[41]

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[37] *McAlester News-Capital* October 6, 1917, p. 1; *Ada Weekly News*, September 27, 1917, p. 1; *Wewoka Capital-Democrat*, August 9, 1917, p. 1; *Enid Events*, August 10, 1917, p. 1.

[38] *McAlester News-Capital*, August 6, 1917, p. 6.

[39] *Ibid.*, October 6, 1917, p. 1 and September 21, 1917, p. 1.

[40] Interview, Al Nichols, Wewoka, Oklahoma, October 30, 1971.

As word of the ambush reached the town, citizens held mass meetings and organized a group of home guards to protect against possible rioting. At the same time plans were made to put bridges, water plants, public buildings, industrial plants and ammunition storage houses under close guard.[42]

While various towns were making defensive preparations, Sheriff Grall returned to the area where he was attacked with a posse from Konawa, Oklahoma. Near Rocky Point the posse surprised a group of radicals gorging themselves on stolen beef, and instead of fighting, the rebels fled. Nonetheless the posse managed to capture twelve.[43]

In the meantime another posse inadvertently dispersed a large group of rebels in the area. Some 125 radicals under the leadership of John Spears were located on top of two hills. However, as the posse, unaware the radicals were so close, marched between the two knolls, the radicals became frightened and fled.[44]

From the viewpoint of the Working Class Union, the ambush of Grall and Cross had been a surprise. Officially the malcontents had planned to begin the revolt at midnight on August 2. Yet, with the rebellion prematurely exposed there was little to do but follow what scant plans they had. Meeting that evening on the sandbars of the Canadian River, as they previously had planned, the radicals divided into small groups and attempted to carry out their objectives.[45]

As the bands dispersed, the "Lone Dove" local led by W. L. Benefield remained at the river to burn a wooden railroad trestle. Loading a handcart with brush and timber, the radicals fired it and shoved it onto the railroad bridge.[46] Several hours later a freight train was flagged down just in time to prevent it from rolling onto the damaged structure.[47]

After the trestle was burned the groups, which had divided on the sandbar to perform their various missions, began to reassemble and move in the general direction of Sasakwa. On their way they impressed various people

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[41] Interview, Bill Cross, Wewoka, Oklahoma, March 10, 1968; *Wewoka Capital-Democrat*, August 9, 1917, p. 1; *Daily Ardmoreite*, October 31, 1917, p. 1; *Daily Oklahoman*, August 4, 1917, p. 1.

[42] *Daily Oklahoman*, August 4, 1917, p. 2.

[43] *Ibid.*; *Wewoka Capital-Democrat*, August 9, 1917, p. 1.

[44] *Ibid.*

[45] *Daily Oklahoman*, August 4, 1917, p. 1; *Ada Weekly News*, August 9, 1917, p. 1; *Holdenville Democrat*, August 10, 1917, p. 1; *Harlow's Weekly*, August 8, 1917, p. 3; *Daily Ardmoreite*, October 13, 1917, p. 1.

[46] *McAlester News-Capital*, August 18, 1917, p. 1.

[47] Reita Sturdivant, "Francis, Chickasaw Nation, 1894," *The Chronicles of Oklahoma*, Vol. XLV, No. 2 (Summer, 1967), p. 151.

into their ranks. Jim Benham was walking unarmed and alone when he was overtaken by a wagon load of armed radicals.[48] One lanky rebel, a rifle crooked in his arm, directed Benham to join the cause. Hesitating on the demand, the rebel gave Benham five minutes to decide. It was then that Benham crawled into the wagon. Jim Houston found himself in a similar predicament but managed to outwit a rebel party under Benefield's leadership. After being confronted by the radicals, Houston indicated he would go home for a rifle and rejoin them on their way to burn Sasakwa. However, once released he rushed to the little community and warned the citizens of the approaching danger. As the men armed themselves, some climbed to the roofs of stores to make a stand against the rebels, while others, like Houston, returned to their homes in rural areas to defend their families.[49]

The people in outlying regions, unlike those in the towns, feared the threat of poison more than fire. Word had spread that the insurrectionists were plotting to poison all the local wells, and lawmen later found a radical cache containing not only seventy-five sticks of dynamite and a rifle with sixty-four shells, but also eight ounces of strychnine.[50]

While Houston hurried to warn the residents of Sasakwa, the rebels changed their plans. Instead of continuing to the town, they turned north, marched past Little River and camped on a hilltop known as "Roastin' ear Hill" or "Spear's Bluff." There on the morning of August 3, 1917, the sheriff of Pottawatomie County leading a posse numbering nearly a thousand men —including twenty-five national guardsmen from Okemah, Oklahoma— surprised the radicals.[51] On top of "Roastin' Ear Hill' the 400 rebels were suddenly awakened by the possemen under orders to shoot to kill. In the rebel camp no one took command, and the men fled. Hopelessly isolated from each other in small ineffective groups, the stragglers were easily taken prisoner.[52]

In the hunt that followed some 100 rebels were captured and jailed.[53] No one was slain in the fighting on the hill, although several radicals were wounded. Nonetheless some tense moments were caused by Wallace Cargil. Surviving the run on the hill, he retreated several miles southward with three other rebels to the shelter of a small ravine. Surrounded by a posse, Cargil refused to surrender, and was so critically wounded in the exchange of gunfire that followed that the posse did not bother to try to locate a

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48 *Daily Oklahoman*, August 5, 1917, p. 1.
49 Interview, Mrs. Allen Harrod, Wewoka, Oklahoma,, March 10, 1968.
50 *Holdenville Democrat*, August 10, 1917, p. 1.
51 *Daily Oklahoman*, August 4, 1917, p. 1.
52 *Ibid.*, August 5, 1917, p. 1; *Ada Weekly News*, August 9, 1917, p. 1.
53 *Daily Oklahoman*, August 5, 1917, p. 1.

doctor. Later Cargil's son was jailed after trying to get a doctor in Sasakwa to treat his father, and soon leading newspapers across the nation reported Cargil dead. However, a neighbor was finally able to secure medical aid, and Cargil recovered from his wounds.[54]

Another man, a Mr. Boggs, managed to flee from the hill without being shot or captured. However, a posse found him crawling under a barbed wire fence with two rifles and two hundred rounds of ammunition. Agreeing to surrender, Boggs to his surprise found the posse ready to hang him. If not for Sheriff Grall's insistence that the law be followed, Boggs would have been lynched on the spot.[55]

Many local radical leaders were promptly arrested; however, John Spears remained free. Especially wanted by law officers, Spears at the beginning of the revolt had flown a red socialist flag on a pole in his yard. The banner, the only known "red socialist banner in the state," had a circle design which portrayed two hands shaking across the world with the words, "Socialist Party—Workers of the World Unite," and a yellow torch burning behind the design. The field of the banner carried the legend in white letters, "Oklahoma for Socialism."[56]

Spears was finally captured when lawmen, acting on a tip, approached his home much like they had done several times since the beginning of the revolt. This particular time, though, they removed a few rocks from the foundation and found him huddled beneath the house surrounded with green corn cobs.[57]

After the early morning march on "Roastin' Ear Hill" and the scattering of the rebels, the opportunity for escape came for many of the men who had been forced, like Benham, to enlist for the cause. Most of these men, once they fled, headed for Sasakwa where they provided officers with valuable knowledge.[58] Although they freely gave information, they were afraid of retaliation by the radicals. One man told the officers all he could and then made his will, swearing the rebels would "get him." Such fears were not groundless, and several times informants' homes were pelted with gunfire as rebels halfheartedly attempted to retaliate.[59]

With the end of the first day of abortive revolution, many of the less active questioned the worth of the cause and soon surrendered. Often officers

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[54] *Ibid.*; *Wewoka Capital-Democrat*, August 9, 1917, p. 1; Interview, Bud Walton, Sasakwa, Oklahoma, October 31, 1971.

[55] *Daily Oklahoman*, August 5, 1917, p. 1.

[56] *McAlester News-Capital*, August 10, 1917, p. 3.

[57] Interview, Al Nichols.

[58] *Daily Oklahoman*, August 5, 1917, p. 1.

[59] *Ibid.*; August 10, 1917, p. 1.

received telephone calls from a small band of tired, hungry men who were willing to capitulate if the lawmen would only meet them.[60]

However, at the same time there were groups attempting to reorganize and regain sufficient numbers to continue the "rebellion." Officers found such a party planning new action near Calvin, Oklahoma, where several members of the Working Class Union had retreated to an old school building and refused to surrender. In the gun battle that followed Ed Blaylock, a draft resister, was killed.[61]

Blaylock was only one of three deaths associated with the uprising. In Holdenville, Oklahoma, residents feared an attack, and city leaders posted groups of armed men on all the roads leading into the town, who were given orders to let no one pass without a proper explanation. One night a lone car failed to obey a deputy's order to halt, and the guards, thinking the car contained armed rebels bent on carrying out their threats of burning the town, opened fire and killed J. F. Moose, a young school teacher who had nothing to do with the revolt.[62] A third man, named Clay, was shot and killed by Craven Brown, who swore that Clay and another man were members of the union and had tried to make him fight for the rebels. Brown claimed he had resisted and Clay was shot in the scuffle that followed. But the *Wewoka Capital-Democrat* hinted that Clay and Brown were enemies and that the revolt only furnished a pretext for murder.[63] Nonetheless, Clay was the last man to die during the revolt.

By August 5, the revolution was broken, and citizens were left generally unharmed but nervously watching lest another outbreak occur. The rebels were locked in crowded jails and faced various charges—including treason.[64] Behind bars the farmers began to realize the seriousness of their action and how they were fooled by the agitators. In letters home they indicated their remorse over the violence:[65]

> dear wife i will rite you a few lines this leaves me will i hears you was bad off i hope to god you are better. I give up at Calvin they air going to take a lot of us to McAlester i dont know what they air going to do with us i do hope i will get out if i do god being my helper i will never get into nothing else no bunch will ever git me in nothing else so i will close hoping you air better when i get to where i am going—W. L. Benefield
>
> Margaret, I want you to see after the crop and stock the best you can. I am

[60] *Ibid.*, August 6, 1917, p. 1.
[61] *Ibid.*
[62] *Ibid.*; *Holdenville Democrat*, August 10, 1917, p. 1.
[63] *Wewoka Capital-Democrat*, August 16, 1917, p. 1.
[64] *Harlow's Weekly*, August 8, 1917, p. 3; *Seminole News* (Seminole), August 9, 1917, p. 1.
[65] *Ada Weekly News*, August 9, 1917, p. 4.

Members of the Oklahoma National Guard from Okemah who helped crush the rebellion

very sorry I was led into anything like this, you no, and our naber no I have done everything I could to keep our country from being tore up, so take care of everything and do all you can for me. Go down to town and see all them people and there advice, so I will close now. Don't write till you hare from me again. H. E. Hailey. Have the boys to cut the hay and hall it in. You seem Jim Peete and get him to see about getting me out and others. talk to some one that can tell you what do do. I Jess tha will start to south town with us some time today. Well, Margaret, advise all the Boys never Be guilty of Joining the W.C.U. I wish I never Heard of it.

As the men began to understand what had happened to them, so did law officers, and finally the officials realized that the ragged rebels were to be

pitied rather than strongly prosecuted. As a result, no radical was given more than a ten-year sentence, with the average man being sentenced to little, if any time.[66]

For many people "nothing happened." Even Governor Robert L. Williams found little to cause him anxiety. On August 4, the day of the big charge by possemen, Williams notified Secretary of War Newton Baker, that "Investigation leads me to believe that persons who are opposed to the selective draft such as those belonging to the Socialist and I.W.W. and W.C.U. organizations are buying arms. I don't apprehend any serious danger."[67]

The next day in answering the *New York World*, which had been questioning him about the revolt, Williams declared that the, "majority of the people in every county in this state are in favor of law and order. We stand strictly with the Federal Government in its prosecution of the war."[68] And on August 8, he made one more statement concerning the revolt when, after viewing newspaper clippings on the violence, he commented that this, "kind of advertisement does not help our state," and that the "matter is greatly exaggerated. The press reports greatly exaggerate it. The Matter is absolutely under control."[69]

Indeed the situation was under control. Most of the rebels were able to return to their tenant shacks shortly after their trials. There they found things changed, as many landlords were unwilling to rent to their former tenants. Consequently, some of the rebels left the area and traveled to California or Mexico.[70]

Although this revolt was not of great importance to a nation in the midst of World War I, it, like its counterparts in Texas and Arkansas, was indicative of a socio-economically deprived section under radical exploitation. This was armed draft resistance encouraged by ignorance and poverty, and coupled at times with a stubborn pacifist patriotism. Thus this ignorance, poverty and pacifism constituted the seedbed for the would-be revolution, while the Working Class Union played on these problems and exploited those they were claiming to aid.[71]

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[66] *Muskogee Times-Democrat*, November 1, 1917, p. 1.

[67] Robert L. Williams to Newton Baker, August 4, 1917, Williams Papers, Oklahoma State Archives.

[68] Robert L. Williams to the *New York World*, August 5, 1917, Williams Papers, Library, Oklahoma Historical Society, Oklahoma City, Oklahoma.

[69] R. L. Williams to H. B. Beeler, August 8, 1917, *ibid.*

[70] Interview, Mont Bond; Interview, Frank Harrod, Sasakwa, Oklahoma, March 10, 1968.

[71] *McAlester News-Capital*, August 26, 1917, p. 1.

HISTORIANS AND ART: AN OKLAHOMA CASE STUDY

*By Frederick A. Olds**

Art is a man's very personal expression and interpretation of his world. Yet each artist views his environment through a pair of spectacles—eyeglasses that reflect his society, his culture, his technology. Such art can take many forms. Albert E. Elsen, in his *Purposes of Art*, declared that man in myriad ways "has caused his hands to endow the raw, uninformed materials of nature with aesthetic significance by imposing on them an order that, for the artist and his fellow men, is expressive."[1] Thus art can be as elementary as a sketch of some animal etched on a cave wall 15,000 years ago by a nameless primitive man or it can be as sophisticated as a contemporary abstract. Each tells the observant historian much about the culture, the technology, the social and geographical conditions, possibly even the religious attitudes of the artist and the climatic conditions under which he lived.

Therefore, the historian who today would understand the history of a given region, such as Oklahoma, or of a stated timespan, such as the settlement of the Great Plains, must of necessity understand the art of that era or area. He can learn much about his subject through written documents; in fact, they are indispensable. However, the art of a people reflects their spirit—ethos—and only by studying this in conjunction with the written record, even in conjunction with the photographic record, can the historian come fully to grips with his subject.

Unfortunately in Oklahoma, historians have neglected this tool, this window on the past. A survey of the standard textbooks used at the high school and college level reveals that few discuss art at all or use it to any extent to illustrate their pages.[2] In fact, of the seven most prominent Oklahoma history books—Edward Everett Dale and Morris L. Wardell, *History of Oklahoma*; Edward Everett Dale, *Oklahoma: The Story of a State*; A. L. Crable, *Oklahoma: Past and Present*; Charles Evans, *Lights on Oklahoma History*; Grant Foreman, *A History of Oklahoma*; Edwin C. McReynolds, Alice Marriott and Estelle Faulconer, *Oklahoma: The Story*

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[1] Bernard S. Myers, *Art and Civilization* (New York: McGraw-Hill, 1967), p. 10.

[2] For example, see Victor E. Harlow, *Oklahoma* (Oklahoma City: Harlow Publishing Company, 1961); Edwin C. McReynolds, Oklahoma: *A History of the Sooner State* (Norman: University of Oklahoma Press, 1954); Grant Foreman, *A History of Oklahoma* (Norman: University of Oklahoma Press, 1942).

of Its Past and Present; Edwin C. McReynolds, *Oklahoma: A History of the Sooner State*; Muriel H. Wright, *Our Oklahoma*; and Muriel H. Wright, *The Story of Oklahoma*—only three—*History of Oklahoma, Oklahoma: The Story of A State, Oklahoma: The Story of Its Past and Present*—devote any space at all to art. Of the total of 3,090 pages in the 7 books, only 6 pages refer to art—pitifully few.

Perhaps these historians neglected this facet of history because they were Oklahomans—citizens of a state only recently settled. However, the early pioneers possessed a high degree of utilitarian art—they made beautiful quilts, wagons and other items of use—but they had little feelings for art of abstract value, such as paintings. Such a sense is acquired only after a certain economic and educational level is achieved. Thus, these historians do reflect something of the spirit of their times, but simultaneously they have neglected a vital and valid research tool.

The historian who investigates will find a rich diversity in every art medium in Oklahoma's past, beginning with the first occupants.

Aboriginal Americans, later to be called Indians, came to the New World in waves of migration beginning possibly as early as 30,000 years ago. They crossed from Siberia either across a land isthmus connecting with Alaska or else over the ice during the winter.[3] Gradually they moved southward in search of better land, warmer climate or weaker neighbors to exploit until they had thinly populated both North and South America from Alaska to Tierra del Fuego. Fragments of their pottery, found in the Spiro Mounds in southeastern Oklahoma, offer graphic examples of their craftmanship and culture.

The tools and weapons of these first Americans have been found in various excavations, and a study of them reveals myriad art forms. Some of the decorations were in connection with mystic rites possibly designed to give the hunter power over his prey; others stem from burial ceremonies or fertility rites. Two sources of artistic illustration concerning the Indians of the West are still of importance historically. Art work of the Indians themselves is a key to social, economic and religious conditions during the sixteenth and seventeenth centuries.[4] Likewise, early explorers, travelers and military personnel through their diaries, portray, not only in words but in their drawings, a way of life no longer in existance. Too often these have been ignored by Oklahoma historians. Two prime factors shaped the destiny of the Indian tribes of Oklahoma. The acquisition of the horse and

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[3] William Brandon, *The American Heritage Book of Indians* (New York: Simon Schuster, 1961), pp. 10–11.

[4] *Ibid.*, pp. 28–41.

Indian skin painting

gun radically affected their culture, and created a mounted and mobile terror out of once sedentery groups, loosing against enemy tribes as well as white intruders the finest mounted cavalrymen of all time. Not all western natives became "horse Indians" for many parts of the West would not support a horse culture; there the best use for a horse was as food.[5]

Yet, those tribes that acquired horses through raiding, capture or breeding, conceived an almost god-like attitude toward them. These Indians had only sign language, for they left no written accounts, and thus the historian must rely on their surviving art to discern their attitudes. Pictures produced by Indians identify what they valued most highly. Here the horse is equaled

[5] John W. Ewers, *The Horse in Blackfoot Indian Culture* (Washington: Government Printing Office, 1955), p. 1.

only by the buffalo that furnished all the tribal needs. Surviving skin paintings of the horse groups are dominated by representations of warriors and hunters mounted on horses. Teepee hides that survive reveal exciting paintings depicting battles and hunts. Many of these works of art were provided by the Plains tribes which inhabited present-day western Oklahoma.

A further examination of this culture's art reveals that these men executed their paintings in a two-dimensional way in an attempt at realistic representation.[6] Some were much better artists than others, but with an eye for detail. Women seldom if ever worked this way, confining themselves to more abstract geometric forms. Quill beading and decorative painting done by women were associated with decoration, whereas that of the men was related to a recording of personal attainment. Moreover, the warriors used a kind of geometric decorative art for personal identification. Horses were painted either by the owner or medicine man to insure success on the hunt or in battle.[7] Horses often bore the symbols of horse raids and buffalo hunts in the form of "pony tracks" and buffalo hoof prints. These recorded symbols of success provided a colorful decoration on the horse's flank, while circles of color about the eyes insured excellent eyesight. Zig-zag color down the horse's legs was designed to promote speed and sure-footedness.

Stripes and masses of color were arranged on a warrior's face according to personal taste. This fetish was not necessarily functional, but the practice of placing vermillion color on the hair partings of the forehead and around the eyes and cheekbones may have reduced wind and sunburn as well as sun-glare.[8]

Accessories such as the buffalo robe, a versatile piece of equipment for the hunter-warrior, served as a padded seat between horse and rider as well as protection from cold, wind, snow, sleet and rain, and when removed from the horse's back it became a kind of sleeping bag. These articles were often decorated in a colorful way to denote ownership.

Again and again, the horse-buffalo oriented culture can be discerned from artifacts; a thorough study and understanding of these offer enlightenment concerning primitive Oklahoma inhabitants. Early American travelers or those who accompanied expeditions into Oklahoma invariably refer to the fascination of these people for mounted warriors and hunters. Washington Irving left vivid illustrations of the Plains Indians, which provide graphic examples of their life styles when he toured the area comprising

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[6] William Cohoe, *A Cheyenne Sketch Book* (Norman: University of Oklahoma Press, 1964).

[7] Ewers, *The Horse in Blackfoot Indian Culture*, pp. 99–100.

[8] Harold McCracken, *George Catlin and the Old Frontier* (New York: Dial Press, 1959), pp. 54–73.

present-day Oklahoma during the 1830s. Although an occasional reference or illustration is made of non-horse groups, artists from Europe were greatly impressed by buffalo hunts on horseback and war-like ceremonies that involved riding. All were sketched: costumes, campsites, dances and the every-day activities of the women who butchered the game, tanned the hides, quilled and beaded, cooked, erected and dismantled teepees, loaded out horses for travel and participated in everything from burial ceremonies to birth events in the tribes.[9] Colorful and strange to the European eye, these happenings occupied a prominent place in these early etchings, water-colors, drawings and oil paintings, and today can be utilized to illustrate a bygone era of Oklahoma's heritage.

During the explorations of the Spaniards, few pictures were recorded, but as trails into Indian country became more common, artists from Europe as well as eastern America made their way westward to paint the noble savage in his primitive splendor. Artists such as Carl Bodmer, Eliphalet Terry, Jacob Miller, George Catlin and others, carefully portrayed the "look" of the various tribes according to hair style, feather and fur decoration, bead and quill work, cut of leggings and design of moccasin and headdress. Catlin especially recorded in his many paintings, drawings and journals a wealth of early identifying characteristics of tribal groups that reveal interesting changes in costume and custom between his day and later periods.

His graphic record also substantiates that some tribal characteristics remained constant and have changed very little to this day. It is regrettable that present-day authors of public school textbooks have not included an analytical study of Indian art. Indians too often are lumped into a large and indistinct group that fails to show insight into a true concept of western Indian culture at its finest.

A number of the textbooks used in Oklahoma are sadly lacking in space allotted to study of the art of the various Indian tribes; however, this state, which claims more Indian tribes within its borders than any other state, has stressed its wealth of ethnological history in its public schools.[10]

Paintings of Indians done by European-oriented artists in the 1700s suffered from the neo-classic style of the day that stressed a Greek god-like portrayal. Bodies and faces were of an ideal nature, but sadly lacking in a "paint it as it is" look. Borrowed from the Renaissance in Europe, these artists insisted on glorifying where the Indian image was involved.[11]

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[9] *Ibid.*, pp. 108–109.

[10] Harlow, *Oklahoma*; McReynolds, *Oklahoma: A History of the Sooner State*; Foreman, *A History of Oklahoma.*

[11] Brandon, *The American Heritage Book of Indians*, pp. 154–160.

Benjamin West, a Pennsylvanian by birth, but who left the colonies in America sometime before the Revolutionary War, had this failing. West, whose ability at portraiture stood second to none among his contemporaries, did not succeed where Indian portrayal was involved.[12] His paintings, although nicely done, leave much to be desired. Somehow his Indians resembled white actors in a play. A convincing description in paint was lacking. On the other hand, Charles Marion Russell, a Montana artist of the late nineteenth and early twentieth century, caught the essence of horse Indians in Oklahoma and other areas of the Great Plains.

Russell, a cowboy during his youth, encountered several different tribes and even lived with the Blackfoot for one winter.[13] This close relationship was to his liking for, aside from a deep admiration concerning the Indians, he had a keen awareness of what they had been in the past and what they were being forced into during the present. The nobleman of the plains had been reduced to sickness, disgrace, poverty and the oblivion of reservation life. Russell observed the transition with both wrath and despair. To him the West was dying—the open range, the cowboy, Indian, longhorn and buffalo were all part of bygone trails being ploughed under.

Russell became a spokesman for the Old West that was dying. He took this responsibility with considerable seriousness, endeavoring to paint the truth. His Indian ponies were unglamorized, instead mutely conveying an honest statement of how they appeared. His cowboys, weathered and saddle-worn with plain work clothes and common tools such as the rope, six-shooter, saddle, spurs and leggings, relate today a clear, concise picture of the true oldtime cowboy. Without embellishment he pictured again and again what he had lived and known so well. With a certain pride he portrayed an accurate West, unvarnished, seldom retouched—but vital in accuracy and embossed in truth.

"Why I'd know a cowboy in Hell without his clothes on!" said one old-timer emphatically. So Russell knew his subject, and he executed it faithfully. If his thesis was "the Old West as I remember it," he presented his subject with intent clearly visible; he hammered his point home in color and form with unmistakable conviction and authority to leave his audience musing long afterward over the power and impact transferred into oil paint. Old-timers who are short on art appreciation, who are utterly ignorant of what art is, are quick to voice approval of Russell's portrayal of the West they knew. In their tally book, he "would do to cross the river with."

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[12] Alexander Eliot, *Three Hundred Years of American Painting* (New York: Time, Inc., 1957).

[13] Harold McCracken, *The Charles Russell Book: The Life and Work of the Cowboy Artist* (New York: Doubleday and Company, 1957), p. 112.

Although Russell portrayed the American cowboy and Indian, he did not give attention to some aspects of that vast area known as the West. Frederic Remington, in contrast, depicted much concerning the Indian, the conflict between the races and the United States Army in action at that time. Both Russell and Remington had in common a cause—to capture the West in its fading glory—yet each in his unique way added important information in graphic art and sculpture to record for posterity details of the nineteenth century American West.

Remington, to an extent, worked at a disadvantage. He was a native of New York and chose to live there in comfort. Traveling by train to the military outposts, he would join an expedition going against the Indians. Accompanying the troops on active duty against rampaging hostilities offered Remington firsthand material for both story illustration and oil painting subject matter. Many of his sketches were done while accompanying soldiers in campaigns against the hostile tribes. Then, returning to his studio in New York, he could leisurely transform a sketch into a finished oil painting, or, sometimes, a bronze sculpture.[14] Both Russell and Remington remained true to factual description. Therein lies the value of their work.

In this same era, the camera was being perfected. Yet photography was a slow, laborious process. The photographer was handicapped by equipment that was so unwieldly it had to be transported in a wagon.[15] The process of photographing in the field was dubious and often disappointing, hence the sketchbook and pencil served the artist in a simple but effective way. A skilled artist could render endless technical sketches that could be developed in any manner desired at a more convenient time. The artist learned the value of accurate, even photographic, detail from his peers, both military and hostile, who were prone to voice approval or criticism. Here the artist was of greatest value when he could work from the living models. He could capture the emotion and feeling of a situation and, provided he was fair and unbiased, was in a position to convey unvarnished historical truth. During the Civil War, a number of news correspondents found it advantageous to illustrate their stories, which added widespread reader appeal. As a result many photos are available that accurately illustrated the excitement of the expectant settlers in Oklahoma land "Runs."

Many artists who came to Oklahoma and the West belonged to what has been labeled the Hudson River School. Unlike the Western artists of the nineteenth century who believed that their duty was to record the golden

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[14] Harold McCracken, *Frederick Remington; Artist of the Old West* (New York: Lippincott, 1947), p. 89.

[15] See any of the various books about frontier photography.

West as it faded into an era of railroads, highways and industry, these artists, who had their origins and training in eastern America, felt compelled to render paintings glorifying the unparalleled beauty of the New World. Not long removed from the various confines of Europe, these painters had a New World at their fingertips, to have for the taking; this was a heady potion for recent immigrants.[16] At a time when haughty, affluent Europeans regarded upstart Americans as hardly better than savages, Americans desperately needed a talking point—something of their own to laud and brag about. The Hudson River School—a group of "see America first and be glad" artists—set about popularizing American scenes. This came just when a wave of Jacksonian democracy was creating a new pride in the American wilderness, and artists flocked outdoors to record it. Urged on by American writers of this period—James Fenimore Cooper, Ralph Waldo Emerson, and others—the painters trudged through the Hudson River wilderness during the second, third and fourth decades of the nineteenth century. Thomas Cole was perhaps the best-known member of the Hudson River School. Asher Brown Durandt and John Frederick Kensett were fellow artists who, as landscapists, became extremely popular in America. These thoughtful, optimistic, dedicated men left a legacy, a studied hymn to the gentle hills and sweeping rivers of their native countryside that was to have a lingering influence on later artists who became enraptured with the great American West.

From a biography, *George Catlin and the Old Frontier*, by Harold McCracken comes a documentarian of a primitive race. Catlin was the first artist of stature to travel our western plains for the purpose of making a documentry pictorial record of the primitive Western tribes. Between 1830 and 1836 he visited and became acquainted with almost all the important tribes scattered over the vast and little-known area of the upper Missouri River and headwaters of the Mississippi River to the Mexican territory in the far Southwest.

Catlin's work as he moved about the Great Plains living among various tribes, recording in his notes, sketching and painting whole histories, is of the highest value. During his extraordinary career, he gathered a multitude of data concerning little known tribes and carried this to the civilized world. Through exhibits of his art and lectures on Indian life, he exploited his thesis to the utmost, bringing to the crowned heads of Europe a fascinating part of the New World that soon would vanish forever. Ethnologists, sociologists and historians stand in debt to his unselfish pursuit of valuable information "that will form the most perfect monument of an extinguished race

[16] Eliot, *Three Hundred Years of American Painting*, pp. 82–103.

Augusta Metcalf—famous Oklahoma artist

that the world has ever seen." Joseph Henry, Director of the Smithsonian Institute, on December 13, 1873, said about Catlin's paintings, "They will grow in importance with advancing years and when the race of which they are the representation shall have entirely disappeared, their value will be inestimable."

Another member of the Hudson River School was Alfred Jacob Miller, who, in the spring of 1837, accompanied Captain William Drummond Stewart's expedition heading for the Wind River Country 1,000 miles away from St. Louis, Missouri. Miller enjoyed a rare opportunity to see and paint the breathtaking beauty of the Rockies, hordes of Indians, mountain men, traders, wild horses, buffalo and big horn sheep over a period of three years. In addition, Charles Wimar and Albert Bierstadt, both Germans and trained in Europe, applied their extraordinary skills in painting to the grandeur of the Rocky Mountains and the Great Plains. Bierstadt's paintings sold for as much as $35,000, in those days quite a sum for a painting—certainly more than any other American artist commanded.

Following this school of painting came Russell and Remington, both of whom contributed valuable work in painting as well as sculpture. Along with these gifted artists came many less competent painters to mourn and celebrate the setting of the Wild West's sun. One such painter of note, who lived during the nineteenth and twentieth centuries, was Augusta Metcalf, a pioneer woman living in Indian Territory—what later was to become western Oklahoma.[17] Born in Kansas in 1871, her parents brought her to "no man's land" in 1886 where they lived in soddys and shacks at first. Her experiences as a child and then as a young woman sharing the hard work of frontier living were manifested in her untrained paintings. Only a participant in this type of life could reflect her time so accurately. Those who

[17] Melvin Harrel, "My Life in the Indian Territory of Oklahoma: The Story of Augusta Corson Metcalf," *The Chronicles of Oklahoma*, Vol. XXXIII No. 1 (Spring, 1955), pp. 49–62.

"Scrapping for Water in the Washita" by Augusta Metcalf

shared such experiences recognized in Metcalf's paintings life as they knew it. Fighting a prairie fire, seeing a frontier wedding and herding cattle were some of the subjects she depicted.[18] These portrayals visually conveyed the way people in the short grass country endured the ravages of nature and yet survived. The discerning historian therein can see the pioneer perseverance, courage, hope and faith—qualities that made possible survival in a bleak, raw land. Metcalf probably started sketching because she needed something to occupy her time when she was not working. Later she would draw on a long life filled with experiences that were of unusual nature. She and other pioneers, untrained as artists, capturing the spirit of a hard land and a hard people, left paintings, untrained though they be, which are invaluable as historical documents.

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18 *Oklahoma Today*, Vol. XX, No. 3 (Summer, 1970), cover and illustrations; *ibid*., Vol. XXII, No. 2 (Spring, 1972), cover and pp. 10–12.

Artists continue to be of value where factual information concerning the past is being sought. The camera renders tremendous service, but there is an important place for graphic artists. Charles Banks Wilson is a good example of an artist who creates from past history a visual conception of a person or an event.[19] Often he has little supporting data to go on, so he, the artist, is placed in the same situation as early painters of Biblical scenes found themselves. In short, he is thrown on his own resources and must create as convincing a historical representation as possible. This sort of historical painting has always been done and is still used extensively by historical periodicals and museums.

Oklahoma, with its abundance of pioneer artists, and profusion of sketches, drawings and paintings left by famous travelers is in a unique position. Perhaps no other locale has had its history recorded in such detail for posterity. These should not be lost to future generations as these artists left a colorful record of Oklahoma's heritage.

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[19] Charles Banks Wilson, Will Rogers and Sequoyah paintings, Oklahoma State Capital Building, Oklahoma City, Oklahoma.

THE FINAL MOVE OF THE CHOCTAWS 1825–1830

*By Rex Syndergaard**

The expulsion of the Choctaws from their homes in Mississippi has been recounted by a number of able historians; however, the years 1825 to 1830 illustrate best the ubiquity of the injustices which persisted throughout the Indian policy of the United States government.[1] In that brief span of time all the incongruities of a relentless program by the Federal government to move the southern tribes to lands west of the Mississippi River were demonstrated. During this period, federal commissioners used every possible means to dislodge the Choctaws from areas which land-hungry whites hoped to possess. Federal officials made promises, used threats and even resorted to bribery to secure the approval of treaties by the Choctaw chiefs and captains. Treaty negotiators invariably asked the "red children" to place their trust in the benevolence of the government, promising them better lands free from the demoralizing contact with white settlers. But before the Indians could move to their new lands, deeded to them by the government, they found them occupied by whites. When the Indians asked the government to enforce the agreement and dislodge the white intruders, federal commissioners would appear again to negotiate another treaty for still another movement of the Indians farther west. Once again the agents promised the Indian protection of the government, but when the Indians became obstinate and refused to negotiate the commissioners resorted to threats. When the Indians refused to be intimidated, the federal officials secured approval of treaties by bribing the chiefs with generous land grants and annuities. By such means the Federal government secured the final removal of the Indians from their lands east of the Mississippi River, but it left them divided into factions, for and against the treaties, and the tribes on the verge of anarchy. Once the government had secured approval of the final removal to western lands, it then proceeded to mismanage the removal process to the West which resulted in a "trail of tears."

The history of the Choctaw Nation from 1825 to 1830 is a microcosm of a

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[1] Angie Debo, *The Rise and Fall of the Choctaw Republic* (Norman: University of Oklahoma Press, 1934); Grant Foreman, *Indian Removal: The Emigration of the Five Civilized Tribes of Indians* (Norman: University of Oklahoma Press, 1932); Muriel Wright, "The Removal of the Choctaws," *The Chronicles of Oklahoma*, Vol. VI, No. 2 (June, 1928), pp. 103–128.

tragic phase in the history of the southern Indians. The Choctaws, as the other southern tribes, were attached to the land. They were no longer nomads living largely by hunting. Many had become farmers. They were a people who had progressed a long way in adapting theemselves to and assimilating the ways of the white civilization around them. Therein was the tragedy—they were forced from lands they cherished and cultivated which had been their ancestral home for generations.

Between the years 1801 and 1825, the Choctaw Nation ceded by five treaties the greater part of their holdings in Alabama and Mississippi, but due to the insatiable appetite of land-hungry white settlers the Federal government continued to pursue its plans to secure the remainder of the Indian lands in the South and remove them to an area west of the Mississippi River.

President James Monroe and his Secretary of War, John C. Calhoun, in 1825, negotiated a treaty with the Choctaws when a discrepancy was discovered in the 1820 Treaty of Doak's Stand. A portion of Choctaw land between the Arkansas and Red rivers, which had been ceded to the Indians by the previous agreement, had already been occupied by white settlers. To rectify this the Choctaws, in 1825, relinquished a large portion of the lands occupied by the white intruders—land the Indians were entitled to by the treaty of 1820—and the Federal government, in turn, promised to dislodge the white families from that portion of the 1820 grant retained by the Choctaws. The citizens of Arkansas immediately expressed their disapproval of the treaty knowing it made some 2,000 white settlers subject to removal from the Choctaw Nation. Their objections placed the Monroe administration in a difficult position. Should the United States Senate fail to ratify the 1825 agreement, the government would have no excuse for not enforcing the terms of the Treaty of Doak's Stand, by which it agreed to remove the white settlers from area granted to the Indians. The enforcement of the 1820 treaty would result in the removal of 5,000 whites, whereas only 2,000 would be removed from the smaller territory retained by the Indians by the 1825 treaty. In a letter to H. W. Conway, territorial congressional delegate from Arkansas, Calhoun declared that Monroe believed there was no further hope for delaying enforcement of the 1820 treaty should its 1825 modification not be ratified. "To avoid so disagreeable a consequence," Calhoun stated that "the President is of the opinion that it would be preferable to establish the boundary now proposed than to enforce the original."[2]

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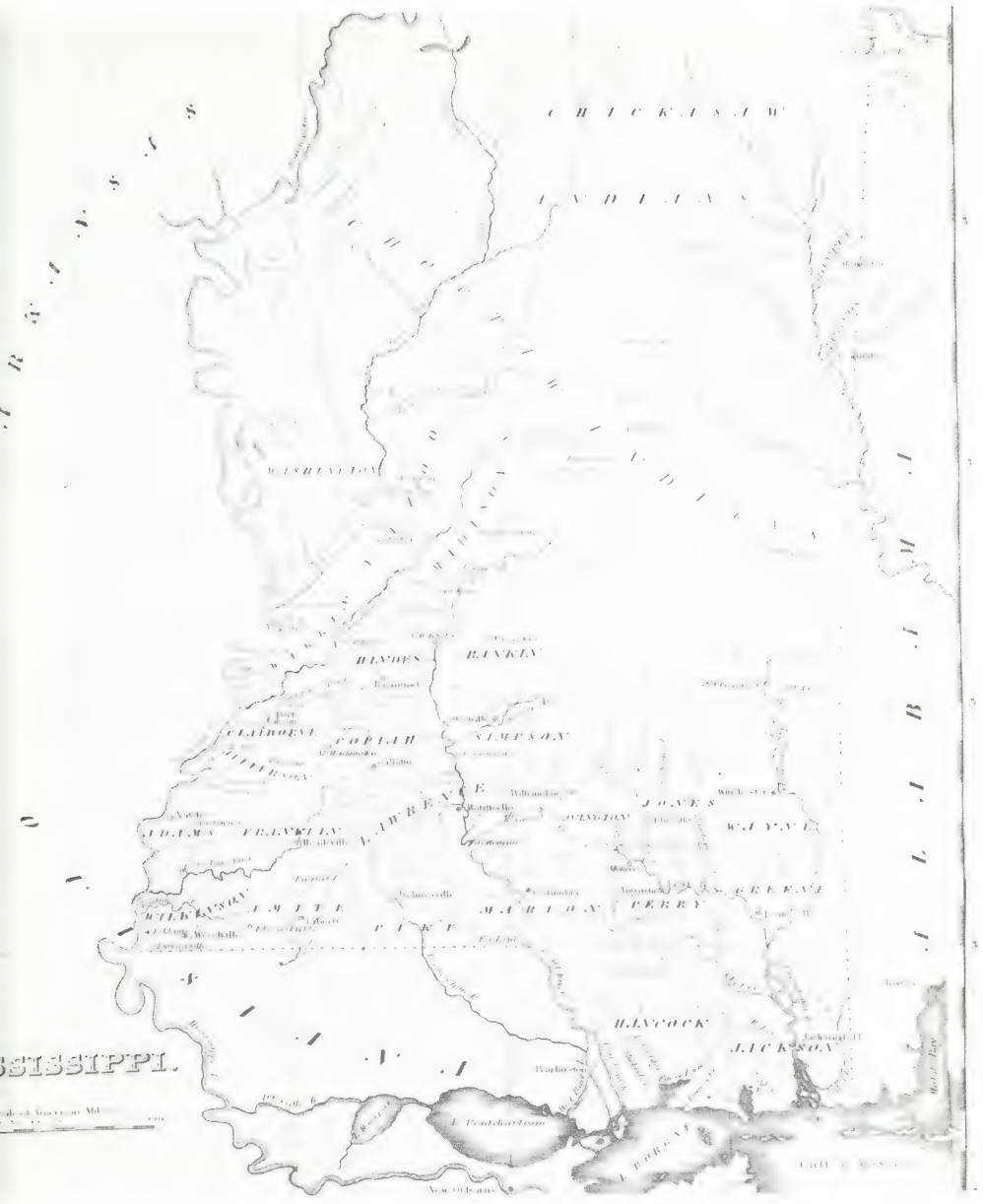
[2] John C. Calhoun to H. W. Conway, United States Congress, *American State Papers, Indian Affairs* (2 vols., Washington: Gales and Seaton, 1832), Vol. II, pp. 557–558.



Map showing the Choctaw lands in Mississippi in the 1830s

The Senate approved the 1825 agreement, but the Choctaws did not remove themselves to the new location as quickly as some federal officials hoped they might. The Choctaws, understandably, had no intentions of moving until white intruders on their lands were expelled by the government, as agreed upon in the 1825 treaty. As late as March, 1826, several Choctaw chiefs, having heard of another government attempt to gain the remainder of their lands in Mississippi, asked the federal officials to implement the "diligent execution of the provisions of the treaty of 1825."[3]

The removal question was kept alive by John Quincy Adams's Secretary of War, James Barbour. A bill proposing his plan was introduced in Congress in February, 1826. Barbour asked for a more modern plan for removal because the previous system contained "within itself the causes of its own abortion," and his review of the federal Indian policy was an accurate appraisal of the incongruities and injustices of the entire system. The original Indian policy "conceived in a spirit of benevolence" would have succeeded, Barbour contended, if the government had not been pressured by the desire of many white settlers to possess Indian lands. The Indians were persuaded to abandon the chase and to become cultivators of the soil, he asserted, and after they had built a home and had planted orchards, the Federal government dispatched agents to tell them they must surrender their lands.[4] Having reviewed the past Indian policy with candor, Barbour submitted the outline of his plan. He proposed the creation of an area west of the Mississippi River for the exclusive use of Indians to which they would be removed by their own consent, as individuals instead of tribes. The principal recommendation of the plan, Barbour stated, was that the "future residence of these people will be forever undisturbed, that there, at last, they will find a home and a resting place." He also suggested some federal control in the new area until civilization of the Indians could advance to a point where they would be capable of governing themselves.[5] Even though President John Quincy Adams was not sure the Barbour plan would work, he approved it in principle.[6]

Though Congress failed to pass the Barbour plan, the Adams administration continued to work for removal. On May 20, 1826, the members of Congress passed an act enabling the president to make treaties with the Choctaw and Chickasaw nations.

Although a segment of Choctaws and their chiefs were opposed to further

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[3] Choctaw delegation to James Barbour, March 18, 1826, *ibid.*, p. 704.

[4] James Barbour to John Cocke, February 3, 1826, *ibid.*, pp. 647–648.

[5] *Ibid.*, p. 648.

[6] Charles Francis Adams, ed., *Memoirs of John Quincy Adams*, (12 vols., Philadelphia: J. B. Lippincott and Company, 1874–1877), Vol. VIII, p. 113.

negotiations, nonetheless a Choctaw council began discussions with federal commissioners at Florence, Alabama, in November, 1826. In his initial address to the council, William Clark, the principal negotiator, first reminded the Indians that the president was a kind and indulgent parent who wished to promote the real happiness of his "red children." He then explained that the United States had a large unsettled area on the west side of the Mississippi River in which it intended to settle the Indians under one general superintendent, who would encourage their growth and prosperity.[7] Following the general statement of federal policy, the commissioners proposed to the Choctaws the terms for the purchase of their lands. Clark and the others promised that the Federal government would create reservations of 300,000 acres for those who chose to remain and become citizens of the United States. However, for those who chose to emigrate west, they promised transportation and compensation for all improvements and losses incurred by the removal of stock. In addition, $1,000,000 would be paid for Choctaw lands east of the Mississippi River. After the terms were presented, Clark, in his best oratorical style, made his case for removal. All tribes in the East, he declared, had declined in population, except the remnant of two tribes he "took under his care twelve years ago." The more indigent Choctaw, he asserted, "can promise themselves nothing remaining in this country, but much by a removal." Though many of the wealthy and civilized might prefer to remain behind on reservations, Clark recommended that the poor and less enlightened move within his new superintendency under the "protecting wing of one who will see that justice is extended to them."[8] Apparently the Choctaws were not persuaded by his plea for on the following day they rejected the government's proposition. It was needless, they declared, to enter into all the reasons why they declined. They would simply remind the commissioners that the land was "a sure asylum for our infirm and aged countrymen." Here, they declared, "our forefathers have lived; here we wish to live; and when we die let our bones be laid by the side of those of our kindred." The tract the Choctaws were given west of the Mississippi River in 1820, they stated, was sufficient for those who wished to move or for those who wished to live by hunting, but for those who wished to cultivate, they recommended the retention of their lands east of the Mississippi River.[9]

Commissioner Thomas Hinds, obviously disappointed and angered by

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[7] William Clark, Thomas Hinds and John Coffee to Choctaw delegation, November 11, 1826, United States Congress, *American State Papers, Indian Affairs*, Vol. II, p. 711.

[8] Address of William Clark to Choctaw delegation, November 13, 1826, *ibid.*, p. 712.

[9] Choctaw delegation to William Clark, Thomas Hinds and John Coffee, November 14, 1826, *ibid.*, p. 713.

David Folson and Mushulatubbee who opposed each other on the question of Choctaw removal

the Choctaw reply, asked them how they could call themselves a nation when so few of them were assembled to hear the proposals. Such treatment, he averred, "will not be borne with by the President." Hinds was convinced any terms offered would be found unacceptable by the Choctaws because several of their leaders had promised they would never sell their lands. The commissioners declared that their inquiries revealed that the government of the Choctaw Nation was in the hands of young inexperienced half-bloods and whites who had no "regard to the interest of the poor Indian."[10]

The commissioners also claimed that prior to the first meetings of the assembly, Mushulatubbee and Robert Cole, chiefs of the northeast and northwest districts, respectively, were remvoed from their positions because it was generally understood they would agree to the cession of Choctaw lands. Their places were taken by David Folsom and Greenwood LeFlore, two young mixed-bloods who were known to be unfriendly to cession. The wealth of the nation, the commissioners observed, had declined except for a few mixed-bloods who had settled on the road that leads through the region and because of their lucrative locations it was to their interest to continue things as they were.[11] It was true that LeFlore possessed a large

[10] *Ibid.*, p. 714.

[11] William Clark, Thomas Hinds and John Coffee to Choctaw delegation. November 18, 1826, *ibid.*, p. 709.

plantation and cattle ranch in the Yazoo prairies, and it was also true that LeFlore's father, who had married a Choctaw, had developed a lucrative trade by the establishment of a trading post on the Natchez Trace. However, if those factors were the major reason for his opposition to cession, how could the Federal commissioners explain his support of removal some two years later?

When persuasive arguments failed to change the minds of the Choctaw chiefs, the commissioners resorted to threatening language. "You are badly advised," the commissioners informed the Indians, if "your counsellors. . . tell you that you have nothing to fear by our opposing the wishes of our government." "It is true," they reminded the Choctaw delegation, that the government was their friend and that it was concerned about the interest of the Indians, but in its kindness "she will not abuse the interest of the white people by making them pay a tax to support you." In short, the Choctaws were told the Federal government intended to have its way in the matter or it would make laws suited to the Indians' condition and "compel them to abide by them."[12]

However, the Choctaws were not intimidated by the threatening words of the commissioners. On the following day, November 16, 1826, they reminded the federal officials that the Choctaws were once the proprietors of an extensive tract, but by the treaty of Poosh-e-puck-na in 1805, another in 1816, the Treaty of Doak's Stand in 1820 and the 1825 agreement, they had surrendered a large portion of their holdings. Now again, they declared, the government wants even more. "Where shall we stop," they asked, "where shall we find a resting place?"[13] As soon as Clark received the Choctaw reply he announced the termination of negotiations.

The removal question became a national issue in the election of 1828. Andrew Jackson's support of Indian removal was generally known. It was also known that he had helped negotiate several Indian treaties, and many Indians, particularly the Choctaws, were delighted that their friend would be the new president. They had every reason to expect good treatment from Jackson, for after all, some of them had fought with him in the War of 1812. Beguiled by Jackson's impressive personality and the conviction he was their friend, the Indians did not realize the president was using his influence over them to become the outstanding proponent of the white man's relentless desire to remove the Indians from their lands east of the Mississippi

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12 *Ibid.*, pp. 714–715.

13 Choctaw delegation to William Clark, Thomas Hinds and John Coffee, November 16, 1826, *ibid.*, pp. 715–716.

River.[14] Thus, as expected by many, one of the first measures introduced by Jackson after his election was the Indian Removal Bill. However, even before the act had been introduced he had made his position on the Indian question clear in his message to Congress, on December 8, 1829. "The Indians must be removed," he stated, and they should be distinctly informed that if they remain within the limits of the states they must be subject to their laws."[15] It was visionary, he declared, to support claims on tracts of land "merely because they have seen them from the mountain or passed them in chase."[16] As early as 1817, Jackson had criticized federal Indian policy, which he believed resulted from the weakness of the government. Treaties, he stated, are a farce for "avarice and fear are the predominant passions that govern an Indian." Money was the weapon in the hands of the commissioners, he declared, which can be used to corrupt a few of the chiefs.[17] It would seem Jackson retained that same view of the Indians after he became president. In his instructions to Secretary of War John Eaton, in May 30, 1829, Jackson directed him to corrupt the chiefs by offers of "extensive reservations in fee simple and other rewards," for it was certain that "if the chiefs and influential men could be brought into the measure the rest would implicity follow."[18]

Due to the pressures of congressional discussion concerning Indian removal and the passage of a Mississippi law in 1829, placing the Indians in that state under state authority, the Choctaws met in a great council in March, 1830, to pursue plans for further cessions of land and emigration to the West. At the meeting David Folsom and John Garland, chiefs of the Lower Towns and Six Towns resigned and Greenwood LeFlore was chosen chief of the entire nation. In 1826, LeFlore had opposed land cessions to the government, but now as the Chief of the Choctaws he gave his full support to removal.

What caused him to change his mind? A partial explanation might be the influence of some Methodist missionaries who were strong supporters of removal. LeFlore, a convert to Christianity, supported the missionaries in

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[14] Foreman, *Indian Removal: The Emigration of the Five Civilized Tribes of Indians*, p. 21.

[15] James D. Richardson, ed., *A Compilation of Messages and Papers of the Presidents 1789–1897* (10 vols., Washintgon: Government Printing Office, 1896–1899), Vol. II, pp. 456–459.

[16] Annie L. Abel, "History of Events Resulting in American Consolidation West of the Mississippi," *Annual Report of American Historical Association for Year 1906* (Washington: American Historical Association, 1908), p. 372.

[17] Andrew Jackson to James Monroe, March 4, 1817, John S. Bassett, ed., *Correspondence of Andrew Jackson* (7 vols., Washington: Carnegie Institution, 1928), Vol. II, pp. 280–281.

[18] *Ibid.*, p. 280.

their argument that the Choctaws must be removed from the continuing demoralization which resulted from contact with white civilization. Because Mississippi officials had ended tribal government, the missionaries believed white peddlers would engage in an active whiskey trade in the Choctaw Nation.[19] Some years later, while in the midst of preparations for removal, LeFlore gave this explanation of his reasoning:[20]

> "A majority of the people, embracing the sober-minded and well meaning part of them, are satisfied with the change in their political condition, and are anxious to remove; while the dissipated and worthless part of the community prefer living under laws, which permit the indulgence of their vicious habits, to removing to a country where they fear the restrictions of laws adapted to their peculiar condition."

The Choctaw council, under the leadership of LeFlore, drafted a treaty for the sale of their lands and forwarded it to the president. At the same time, an opposing Choctaw faction sent a strong protest against the treaty. When it was finally rejected by the United States Senate the leaders of the opposition group expressed their pleasure, inasmuch as the treaty had been prepared "by a few designing men in the nation." Mushulatubbee and other members of the opposition claimed Folsom had lost the confidence of the northeast and southern districts, except for those who had joined the missionary church. LeFlore, they argued, had also lost his influence beyond the limits of his own district. Their party, they asserted, was termed Republican and was double the size of the Despotic party of LeFlore. Although the opposition group objected to the treaty they did not rule out the possibility they might emigrate to the area west of the Mississippi River once they had more information about the western territory.[21]

Four days after the passage of the Indian Removal Bill, on June 1, 1830, Secretary of War Eaton invited the Choctaws and Chickasaws to meet with the president at Franklin, Tennessee. To John Pitchlynn, interpreter for the Choctaws, Jackson stated he was, at the request of the agent Major D. W. Haley, journeying to Nashville to make arrangements for removal. Jackson also asked Pitchlynn to inform the Choctaws that "their interest, happiness, peace and prosperity depend on their removal." It was a measure, the president continued, "I had much at heart and sought to effect because

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[19] Angie Debo, *The Rise and Fall of the Choctaw Republic* (Norman: University of Oklahoma Press, 1934), p. 52.

[20] United States Senate, "Indian Removal," 23rd Congress, 1st Session, *Senate Document 512* (5 vols., Washington: Duff Green, 1835), Vol. II, p. 581.

[21] *Ibid.*, p. 580.

I am satisfied that the Indians could not possibly live under the laws of the states."[22] Jackson reported to William Lewis on August 25, that the Chickasaws had arrived at Franklin, but not the Choctaws. Jackson also declared that he had learned that Haley was acting the double part "with the view to obtain large reserves for the Indians and to participate in them." As the tool of LeFlore, Jackson reported, Haley had advised the Choctaw leader not to meet with the commissioners and instead to wait until federal officials were sent into the Choctaw area and then contract for their supplies. Nonetheless, Jackson stated that he would still treat with the Indians and if a Choctaw delegation should not appear, he would "leave the half breeds and wicked white men disappointed and at leisure to comment upon their own folly."[23]

On August 31, 1830, Eaton and John Coffee signed a removal treaty with the Chickasaws but the Choctaws never appeared at the meeting. Thus, Jackson returned to Washington leaving the two men to carry on negotiations with the absent Choctaws.

While Jackson had waited anxiously at Franklin for the Choctaw delegation, the Indians were unable to attend because the tribe was divided by internal dissensions. Since the election of LeFlore as chief of the entire nation in March, and the vote of the council to sell their country, dissatisfaction had mounted until Mushulatubbee, leader of the Pagan party, with the help of Netuchabee, succeeded in gaining control of the eastern part of the nation. His followers were able to have him appointed chief of the Lower Towns in the place of Folsom, and Netuchabee took the place of Garland as chief of the Six Towns.

A major confrontation came at the time of the distribution of the annuity for the two eastern districts. Mushulatubbee and Netuchabee surrounded the distribution point with their warriors in order to prevent members of LeFlore's Christian party from receiving goods. The Pagan forces were quite surprised when LeFlore appeared with 800 warriors and gave Mushulatubbee fifteen minutes to make up his mind about the demand for his resignation. At the end of the period, receiving no answer, LeFlore moved toward Mushulatubbee's quarters. At that critical moment Netuchabee came forward and offered his hand in peace. As a result, the members of the Pagan party fled in all directions.

Several weeks after the internal struggles of the tribe, the commissioners left behind by Jackson finally arrived in the Choctaw Nation to begin nego-

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[22] Andrew Jackson to John Pitchlynn, August 5, 1830, Bassett, ed., *Correspondence of Andrew Jackson*, Vol. IV, p. 169.

[23] Andrew Jackson to Major William Lewis, August 25, 1830, *ibid.*, pp. 176–178.

tiations. In the first sessions they reminded the Choctaws that it was with deep regret they had learned of the differences and disturbances which prevailed among them. The Indians were then asked if they were willing to remain and live as whites and conform to their laws. If the Choctaws answered affirmatively the commissioners warned them this would be the last time the Federal government would treat with them. "Hereafter," they were told, "you will be left to yourselves and to the laws of the states within which you reside, and, when weary of them, your nation must remove as it can, and at its own expenses." However, if the Choctaws agreed to removal to the West, they were promised the full protection of the United States.[24]

After ten days of negotiations the Treaty of Dancing Rabbit Creek was signed on September 27, 1830. In the past the government officials had worked months to accomplish a treaty only to have the Choctaws reject the agreement after many weeks of tedious discussions. However, in this instance, the threat to abandon the Choctaws to the mercy of the laws of Mississippi persuaded the Indians to relinquish their ancestral homes. Of course the usual grants of land and annuities were given to the chiefs and captains, but even then the negotiations might have failed had the government not made some provision for the Choctaws who inntended to remain in Mississippi. Article XIV of the agreement allowed each Choctaw who would signify to the Indian agent that he intended to remain in the East to receive a section of land and an additional portion for each of his children. Without that clause, and the grants of the chiefs, the treaty would not have succeeded.[25]

Because of this provision several thousand Choctaws chose to remain in Mississippi, and within the stipulated time many of them applied to the Indian agent, William Ward, for the land they were allowed under Article XIV. Many claimants, however, did not appear because of the distances they had to travel or because they would not face the drunken and abusive Ward. In addition many Indians also failed to get the land to which they were entitled because Ward refused to make notes of many of the declarations of the Indians who appeared before him.[26]

Several months after the agreement was signed, dissensions arose again in the Choctaw Nation. Ward informed Eaton that in his investigations into the difficulties he had found Jerry Folsom, Peter P. Pitchlynn and

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[24] United States Senate, "Indian Removal," 23rd Congress, 1st Session, *Senate Document 512*, Vol. II, pp. 257–258.

[25] J. F. H. Claiborne, *Mississippi as a Province, Territory and a State* (2 vols., Jackson, Mississippi: Power and Barksdale, 1880), Vol. I, p. 510.

[26] United States Congress, *American State Papers, Public Lands* (8 vols., Washington: Government Printing Office, 1861), Vol. VIII, pp. 629–633.

others were working with Loving Williams, a missionary, to modify or break the treaty. In an appearance before Ward, Williams revealed that they only wanted to remove the chiefs who had signed the agreement and, according to Ward's information, they had succeeded against Netuchabee and partially against LeFlore..[27] A year later LeFlore himself reported that a few unprincipled men had been working to impair the work of the chiefs who had made the treaty.[28]

In spite of efforts to discredit him and remove him as chief, LeFlore worked diligently on plans for the emigration of the Choctaws. In a report to Eaton he declared that the emigration had progressed with spirit among a certain class, but for those who possessed valuable places and those who were aged and infirm the movement had been detained. If those who held valuable property, he suggested, were given some intimation by the government that white men of good character would purchase their holdings, they might move. The wealthy and industrious among the Choctaws, he declared, could then dispose of their places, and that in turn would encourage the lower classes who were still hesitating.[29]

Even though LeFlore had previously opposed further removal, he gave his full support to the treaty of 1830, and in August, 1831, indicated that he intended to move himself during the ensuing winter if the Federal government would first let him know if the houses to be built for the chiefs were to be permanent structures and if they were to be the property of the chiefs or the nation.[30] However, at the last moment the wealthy chief decided to remain in Mississippi.

There was no complete answer why LeFlore chose to stay in Mississippi. Perhaps, as had been suggested earlier by the government commissioners, he could not at the last moment relinquish his rich holdings for undeveloped lands in the West. There was also the possibility that the federal officials would give him no positive assurances that "white men of good character" would purchase his lands. His unpopularity, which resulted from his role in the drafting of the removal treaty of 1830 and the criticisms of certain dissidents who believed he had profited handsomely from the treaty, might also have had a bearing on his decision to reside in Mississippi.[31] Surely he must have wondered about his future role in the new lands for in

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[27] United States Senate, "Indian Removal," 23rd Congress, 1st Session, *Senate Document 512*, Vol. II, p. 185.

[28] *Ibid.*, p. 581.

[29] *Ibid.*, p. 395.

[30] *Ibid.*, p. 580.

[31] Foreman, *Indian Removal: The Emigration of the Five Civilized Tribes of Indians*, p. 38.

Peter P. Pitchlynn, who opposed the Treaty of Dancing Rabbit Creek

October, 1831, the disaffected Choctaws elected George Harkins, Chief of the Nation, and then forwarded to the government resolutions denouncing LeFlore for his "tyrannical conduct."[32]

By 1831, the Choctaws were totally demoralized. They had forfeited their tribal lands and had agreed to removal under the auspices of the federal officials. However, while they waited for the government to put the removal plans into operation they faced possible starvation, because many had not planted their crops as they had no idea when the westward migration would begin. Also during the waiting period, as had been anticipated by Methodist missionaries, many whiskey peddlers moved freely throughout the Choctaw Nation.

Thus, it was amazing that the Choctaws survived or still had the will to start anew after their removal. Between 1825 and 1830 they had surrendered the remainder of the soil in which the bones of their forefathers rested with the hope they might at last have a permanent home, and with the hope the Federal government would never again seek to negotiate a treaty for another move farther west. But even after the Choctaws had acceded to final removal across the Mississippi River, misfortune persisted. Due to the blunders of the War Department, swollen rivers, blizzards and a cholera epidemic, hundreds perished in the 350 mile trek to their new lands. Nonetheless, the Choctaw Nation survived regardless of pressure from state and federal officials and began anew in a home over which they were able to maintain control for over seventy-five years.

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[32] *Ibid.*, p. 30.

COURT IN PERIL: THE LEGISLATIVE-JUDICIAL STRUGGLE OF 1927–1929

*By Von Russell Creel**

The years following World War I reflected anything but a "Return to Normalcy" in Oklahoma politics. The difficulties of governors Jack C. Walton and Henry S. Johnston are well known; however, few people realize that the Supreme Court of Oklahoma also became deeply involved in the political conflict, and was thrust into one of the most bitter political struggles in the state's history.

The political climate in Oklahoma in the first decades of the twentieth century may accurately be described as unstable. World War I and the "Return to Normalcy" embodied events that placed significant stresses on society, which resulted in several political conflicts. Oklahoma was no exception in this regard, and an indication of the intensity of the political struggles was apparent in the frequent use of impeachment as a method of political warfare.

In 1915, the legislature of Oklahoma impeached and removed the state printer and a corporation commissioner. In 1921, the Republican-controlled Oklahoma House of Representatives, with the aid of some Democratic members, brought charges against Lieutenant Governor M. E. Trapp; however, the Democratic controlled Senate dismissed all but one of the charges and the Board of Managers for the House of Representatives then rejected the remaining charge. Then in 1923, the state's highest executive officer, Governor Jack C. Walton, was removed from office, less than one year after his four year term began.[1]

The chief result of the political maneuvering was *Initiative Petition Number 79* which was directed initially against Governor Walton, but which

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* The author graduated from the University of Oklahoma Law School in 1968 and is currently the Assistant Dean of the Law School at Oklahoma City University. Any references to judicial structure are to the system as it existed prior to the effective date of the new court plan on January 13, 1969.

[1] Efforts to find a transcript of that trial have been unsuccessful. State of Oklahoma, *Journal of Proceedings of the State Senate Sitting as a Court of Impeachment*, Fifth Legislature (Oklahoma City: Warden Company, 1915); State of Oklahoma, *Journal of the House of Representatives*, Eighth Legislature (Oklahoma City: New Printing Company, 1917), pp. 813–819; State of Oklahoma, *Journal of Proceedings of the State Senate Sitting as a Court of Impeachment*, Eighth Legislature (Oklahoma City: Harlow Publishing Company, 1921), pp. 123–124; Dalton McBee, *The Oklahoma Revolution* (Oklahoma City: Modern Publications, Inc., 1956).

William D. McBee, Speaker of the Oklahoma House of Representatives and a supporter of *Initiative Petition Number 79*

was to play an even greater role in the legislative-judicial struggle. William D. McBee, the Speaker of the Oklahoma House of Representatives, and other state legislators, who were highly critical of Walton, circulated the petition which granted the state legislature the right to convene on the written requests of a majority of the members of the House of Representatives. However, the call had to be for the purpose of investigating the conduct of state officials and taking such action as was warranted under Article VIII, "Impeachment and Removal From Office" of the *Constitution of the State of Oklahoma.*

The initiative petition was apparently adopted on October 2, 1923, and soon enough signatures were obtained to convene the legislature under its provisions. However, Walton instead called a special session of the legislature which then impeached and ousted him from the governor's office.[2]

As a result, no legal issues were framed or resolved concerning the validity of *Initiative Petition Number 79* or the inherent power of the legislature to convene on its own motion. But the problems underlying those issues remained alive to sorely trouble Oklahoma's judicial system within a few years.

The fact that the court system had not come into direct conflict with the legislative branch at this time did not mean that the judiciary was entirely free from criticism or political difficulties. The general state of the political situation was enough to cast some shadows on the courts and expose them to criticism.

The legislative-executive conflict did nothing to bolster the faith of the people in their political institutions, and it was not surprising that the image of the judiciary was not as sterling as it might have been under less turbulent conditions. But four specific events contributed in a significant degree to the tarnishing of the judiciary's image. Knowledge of those events aid in the understanding the actions of 1927–1929. The first major act was the State Supreme Court decision of *Jarman v. Mason*. Charles W. Mason had been appointed to the Supreme Court of Oklahoma on April 4, 1923, to succeed Justice John H. Pitchford who had recently died. In 1924, Mason was a candidate for a full term as were a number of others including J. H. Jarman, a member of Division Two of Supreme Court Commission which had been created by the Ninth Oklahoma Legislature in 1923. Defeating Jarman by ninety-nine votes in the primary election, Mason assumed the post on August 5, 1924, as Oklahoma had not yet adopted the run-off election.[3]

Jarman then sought to bring an original action in the State Supreme Court against Mason and the other candidates contesting their right to the nomination, and against the members of the State Election Board questioning the result of the primary election. Jarman also tendered the petition that he would file if the court agreed to assume original jurisdiction in the case.

In the petition, he alleged that: Certain voting precincts had erroneously certified the number of votes cast for himself and for Mason; one voting

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[2] State of Oklahoma, *Directory and Manual of the State of Oklahoma* (Oklahoma City: The State Election Board, 1963), p. 200; James C. Buchanan and Edward E. Dale, *A History of Oklahoma* (Evanston, Illinois: Row, Peterson & Company, 1935), p. 309.

[3] State of Oklahoma, *Oklahoma Reports* (202 vols., Oklahoma City: Harlow Publishing Company, 1907–1949), "Jarman v. Mason," Vol. CII, p. 278–286; State of Oklahoma, *Directory and Manual of the State of Oklahoma*, pp. 94–137.

precinct had erroneously tabulated the properly certified returns made by the precinct officials; and one voting precinct had correctly executed and delivered to the County Election Board a certificate properly stating the returns in the precinct, but someone fraudulently and illegally changed the figures. Jarman's attorneys, Thomas H. Owen and George S. Ramsey, former justices of the Supreme Court of Oklahoma, alleged that correction of these errors would be sufficient to entitle Jarman to the certificate of nomination.[4]

Initially, the opinion by Justice J. D. Lydick discussed whether the court had jurisdiction of an action of this nature. Observing that both the writ of *quo warranto* and information in the nature of *quo warranto* had fallen into disuse in England long before reception of the common law in the United States, Lydick found in Oklahoma the general functions of *quo warranto* and information in the nature of *quo warranto* had been replaced by statutory procedures.[5]

The opinion stated that neither *quo warranto* nor information in the nature of *quo warranto* was available in common law to determine the title to nomination for a public office. In addition, Lydick noted that many states extended this prohibition to the statutory substitutes in the absence of specific authorization for application of the statutes to a contest of the nomination for a public office.

In Oklahoma, however, Lydick declared the *Compiled Statutes of 1921*, "Section 6123" made it possible to contest the title of nomination for a public office. The court did hold that the proviso in "Section 6123" was applicable to errors that could be corrected by a recount.

As "Section 6107" of the *Compiled Statutes of 1921* provided for recounts in primary elections, the court held that it had no jurisdiction as to the first error specified in Jarman's petition. The statute included no time limit, and Lydick ruled the recount must be sought before the County Election Board completed its count and certified the results to the State Election Board.

As to errors two and three, however, Lydick found jurisdiction under "Section 458" and "Section 459" of the *Compiled Statutes of 1921* as made applicable to primary elections by "Section 6123." Having found jurisdiction, Lydick then discussed whether jurisdiction should be exercised.

The court first stated that Mason would have a right to a jury trial. No more was said about this feature of the case, but the implication was clear that the court did not view its primary function as a *nisi prius* bench. Lydick declared that original jurisdiction should be exercised only in cases where

[4] *Ibid.*, p. 137.

[5] State of Oklahoma, *Compiled Statutes of 1921* (Ardmore, Oklahoma: Bunn Publishing Company), p. 521.

Lieutenant Governor M. E. Trapp and Governor Jack Walton, both of whom became targets of impeachment by the Oklahoma House of Representatives

the sovereign's interest was significant or great injury would result from failure to assume original jurisdiction. He noted that the District Court had concurrent jurisdiction with the State Supreme Court in this type of proceeding and rejected Jarman's argument that the matter could not be tried in District Court and resolved by the appellate court on appeal prior to the general election.

These considerations led Lydick to conclude that the court should decline to assume original jurisdiction. Four other justices concurred in the ruling, but believed that the court had no jurisdiction to decline to exercise. Two justices dissented without opinions, and one did not participate.

Two years later, the court was confronted with the case of *Dabney v. Hooker*. This case resulted from the primary election of August 3, 1926, in which Ed Dabney defeated O. H. Searcy for the Democratic nomination for Attorney General of Oklahoma by a vote of 47,228 to 46,765. Dabney was a former State House of Representatives member from Jackson County, and Searcy had been appointed to the district bench in 1923.[6]

Searcy brought an action in District Court to contest Dabney's right to the nomination. To counter this move, Dabney sought a writ of prohibition

[6] State of Oklahoma, *Directory and Manual of the State of Oklahoma*, p. 88, 172 and 148.

to prevent Judge Sam Hooker from proceeding further in the case. The court's opinion was written by Justice C. W. Mason, who ruled that in common law no right existed to try the title to the nomination for a public office. The majority opinion then held a 1925 amendment of "Section 458" prevented application of the statutory substitutes for *quo warranto* and information in the nature of *quo warranto* to primary elections. A substantial portion of the opinion was devoted to finding the amendment in question was not violative of Article II, Section 57, of the *Constitution of the State of Oklahoma.*

The court also rejected the contention that "Section 458" as initially written was incorporated into "Section 6123," of the *Compiled Statutes of 1921.* This left the law as stated in *Jarman v. Mason* unchanged— regardless of the 1925 amendment.

One interesting aspect of the majority opinion was Mason's statement that the legislature may have amended "Section 458" to prevent its application to primary elections because the members of the legislature knew it would be impossible to try such a suit and have it determined on appeal prior to the general election in November. This argument had been ridiculed by Lydick in *Jarman v. Mason* decided only two years before.

The importance of these cases was not their decisions, but in the political reaction to the rulings. The decisions provoked a substantial amount of criticism that was less than restrained in nature. Without judging the correctness or incorrectness of the cases, the criticisms produced by them did not enhance the court's position with the electorate or certain segments of the legislature. In fact, the two cases were directly injected into at least one campaign for the state legisature in 1926. O. O. Owens ran a political advertisement in the *Tulsa World* in the following words:[7]

> So that the People May Know Why I Am a Candidate for State Representative.
>
> I have never had any political ambition. I have none now. I seek election to the legislature for the purpose of rendering such service as constructive thought and fearless and agressive action will permit, including particularly initiating and pressing.
>
> A Thorough and Searching Investigation of The Conduct and Practices of the Supreme Court.
>
> Courts as a whole, and particularly the highest court in the state, should be respected, and referred to with respect. But, when an undercurrent of gossip and rumor becomes so widespread among the lawyers that the Supreme Court no longer has the confidence and respect of the Bar (as lawyers

[7] *Tulsa World* (Tulsa), October 24 and 31, November 1 and 2, 1926.

of this state are collectively referred to), the whole people should be informed, so as to avoid the pitfalls of misplaced confidence and trust.

The public is now well informed on the Supreme Court's attitude with respect to matters political, but only the lawyers, and those laymen who have been unfortunate enough to learn by bitter experience with the Supreme Court, can know the attitude of certain of its members on matters commerical and financial.

The Supreme Court has recently been bitterly assailed by practically every newspaper in the state and charged with attempting to legalize alleged fraud. If the Supreme Court will condone alleged corruption in political matters, what will it do, and what has it done, in financial and commercial controversies?

The Supreme Court has been charged, because of its action in the Dabney-Searcy political controversy (121 Okl. 193, 249 P. 381), with depriving the citizens of their constitutional rights. Certain members of the Supreme Court have also been charged with lending its power, and making of it, the lower courts, and the legal machinery of the state, a tool for use in private controversies, in depriving or attempting to deprive citizens of their property, and in looting or attempting to loot business enterprises. Such procedures deny the injured individuals other constitutional rights than that of suffrage. It denies the citizens the right to own property.

The Supreme Court, through the actions of certain of its members has arrogated to itself all the power of all branches of the State Government, Legislative, Executive and Judicial. Certain members of the court have made the Supreme Court a menace to government, society and the people's sacred rights and welfare.

The vacillating attitudes recently displayed by the Supreme Court in political controversies is nothing less than a sacrifice of principle and conviction for expediency. The Dabney-Searcy opinion is but a leering insult to the intelligence of the people of the state:

A Perfect Demonstration that Politics, Intrigue and Influence Enter into the Consideration by the Supreme Court of Controversies Coming before it.

Justice Mason, as a result of a decision of the Supreme Court, obtained his position on that court under a cloud of suspicion such as now overshadows Dabney. With Justice Mason occupying such an unenviable position, why, then was the Dabney-Searcy Case assigned to him to write the Court's opinion? Is there anyone so credulous as to believe he would have written any opinion other than the one he did? And he cited the Court's opinion in his own case as a precedent for his handiwork for Dabney! What else could be expected?

The Dabney-Searcy opinion is admitted to be an attempted outrage of the people's rights. How many equally outrageous opinions have been written by the Supreme Court in private controversies? Only the lawyers

and the extremely experienced laymen know. The whole people should be informed.

Since statehood every other branch of the State Government has been either suspected, criticized or investigated or impeached. In the past, the Supreme Court has only been suspected; recently it has been criticized. It should now be investigated. The legislature is the only body empowered to make such investigation and apply the proper remedy.

Lack of information on the part of the layman, as well as lack of knowledge of the correct way to proceed, has prevented any aggressive steps being taken. Fear and professional selfishness on the part of the lawyers have restrained them in any attempt to correct the known and suspected evils existing in the Supreme Court.

It is for the purpose of exposing such conditions, and applying the proper remedy, that I seek election to the legislature. It is for the purpose of eliminating, if possible, the contempt for law, facts, evidence, precedent, equity and justice, heretofore exhibited by certain members of the Supreme Court, that I am a candidate for election as a state representative.

I do not want the job for the money.

O. O. Owens.

This space was paid for by Owens, and not by his friends. However, Owens did not limit his criticism to political advertisements. The court rendered a decision against him in *Harris, Receiver v. Chambers* and after the time for rehearing had passed, Owens filed a pleading which contained the following statements:[8]

These movants show that the reason no petition for rehearing was filed in this cause was and is that these movants are informed and believed that this cause was never considered by this honorable court and that the opinion handed down, as the opinion of this court, purporting to have been written by one of the honorable Justices of this court, Justice Charles W. Mason, was in fact written by one J. D. Lydick, who was one of the counsel for the plaintiffs in this cause, and that said opinion having been prepared and written by, as aforesaid, Charles W. Mason, and handed down by him as the opinion of this court, without evidence in this cause and without any consideration of either the pleadings in this cause or the briefs filed therein, either by the said Justice Charles W. Mason, or any of the other Justices in this court.

Movants say that they are informed and believe and, therefore, plead that the purported opinion of this court, filed as aforesaid, July 7, 1925, was prepared by the Honorable J. W. Clark, one of the Justices of this court, under the direction and control of the Honorable George M. Nicholson, who was at the time Chief Justice of this court, and that the said Nicholson

[8] State of Oklahoma, *Oklahoma Reports*, "Harris, Receiver v. Chambers," Vol. CXXI, pp. 75–80.

was at the time under the control and direction of one J. B. Dudley, one of the counsel in said cause. That the aforesaid Justice Clark, in the preparation of the said opinion, did so prepare the same without knowledge of what was contained in the case made in said cause, and without consideration of the briefs in said cause, but in preparing said opinion the said Justice Clark was directed by the aforesaid Justice Nicholson to prepare an opinion affirming the judgment of the trial court, and movants say that they are informed and believe, and therefore plead, that the said purported opinion did not receive the concurrence of a majority of this court at any time before or at the time of its filing, and that the aforesaid opinion was prepared and filed and promulgated without the examination by the said Justice Clark, or any of the Justices purporting to concur in said opinion upon its face, of the record in said cause, either as to the evidence or the pleadings, and without consideration, examination or knowledge of the briefs in said cause and what they contained.

And Movants said that they are advised, and therefore plead, that the control, in the determination of this cause, of the Honorable J. W. Clark, one of the Justices of the honorable court, participating therein by the Honorable George M. Nicholson, another of the Justices of this honorable court participating therein, and the control of the Honorable George M. Nicholson in the premises by the Said Honorable George M. Nicholson in the premises by the Said J. B. Dudley, one of the counsel in said cause, is in law, and fact, a fraud against the rights of these movants.

Attorney General George F. Short filed an action in the State Supreme Court charging Owens with contempt. Apparently the court agreed for Owens was held in direct contempt, sentenced to serve a year in the Oklahoma County jail and pay a fine of $5,000. Judge James S. Davenport of the Oklahoma Criminal Court of Appeals issued an alternative writ of *habeas corpus* for Owens within a short time of the Supreme Court's verdict. However, the Supreme Court issued an alternative writ of prohibition against Davenport and the Criminal Court of Appeals on April 23, 1927, which was made permanent on April 25, 1927, after Davenport had filed a response. The opinion was filed on May 10, 1927, and was reported under the style of *State ex rel. Attorney General v. Davenport*, 125 Okla. 1, 256 P. 340 (1927). In the meantime the Criminal Court of Appeals issued a writ of *habeas corpus* discharging Owens from custody on July 5, 1927. To counter this the Supreme Court on *writ of certiorari* quashed the *writ of habeas corpus* previously issued, and threatened the Criminal Court of Appeals that "If more stringent means are necessary to keep the criminal court of appeals within the legislative authority granted it, such means

[9] *Ibid.*, Vol. CXXV, "State ex-rel. Attorney General v. Owens" pp. 66–81; Vol. CXXVI, "Dancy v. Owens," pp. 37–47.

Governor Henry S. Johnson who attempted to prohibit the Oklahoma Legislature from meeting in extraordinary session in 1927

are adequate, and if necessary will be used, however reluctant this court may be, if such necessity is brought about by that court." Continuing the Supreme Court declared that the "attempt to decapitate the judicial system of Oklahoma, to which birth was given by the Constitution, is frustrated by the might of the law itself, to which this court does obeisance and compels that court to bow." These events provided an example of the bitterness of the political turmoil that rocked Oklahoma during the last years of the decade.[9]

The Owens' controversy did not take place in a vacuum. Henry S. Johnston became governor in 1927, and relations between the legislative and executive branches began to deteriorate after some improvement had taken place during the smooth administration of Governor Martin E. Trapp.[10]

Demands began to be heard in 1927 that the governor call a special session of the legislature; however, Johnston, apparently remembering Walton's unhappy experience, refused. It was at this point that *Initiative Petition Number 79* reappeared. Seeking to give the legislature the right to convene on its own call under certain condition and for certain restricted purposes, some legislators issued a call for the legislature to convene on December 6, 1927, at noon.[11]

An action was brought to enjoin the legislators from incurring any expense or obligations against the state as a result of the extraordinary session. However, the legislators defended their actions on the authority of *Initiative Petition Number 79* and the inherent power of the legislature. Nonetheless the District Court of Oklahoma County denied relief, and an appeal was taken from its judgment to the State Supreme Court. The first opinion in

10 Buchanan and Dale, *A History of Oklahoma*, p. 314.

11 Written requests of a majority of the members of the House of Representatives for the purpose of investigating the conduct of state officials and taking such action as warranted under *Constitution of the State of Oklahoma*, Article VIII, "Impeachment and Removal from Office."

Simpson v. Hill was rendered by Chief Justice Frederick P. Branson on December 3, 1927, and the *per curiam* opinion on rehearing was filed December 3, 1927.[12]

The combined holdings of the two opinions was that: *Initiative Petition Number 79* was not properly submitted to the electorate and thus was null and void; even if properly submitted the petition was no more than a statute and in conflict with Article V, Section 27, of the *Constitution of the State of Oklahoma*; and the legislature possessed no inherent power to convene on its own motion.

However, the Supreme Court declined to issue the injunction because it was unwilling to enjoin "private citizens, from coming to Oklahoma City." But the court made clear its opinion that the legislators could exercise no official functions until they were called into extraordinary session by the governor or until the next regular session convened on the first Tuesday after the first Monday in January, 1929.[13]

The legislature was not beaten yet, however. On December 13, 1927, the House of Representatives convened in the Huckins Hotel in Oklahoma City and voted impeachment articles against Governor Johnston; Harry B. Cordell, President of the State Board of Agriculture; and Chief Justice Branson. The charge against Branson was grounded specifically on the *Simpson-Hill* decision.[14]

The State Senate then met as a court of impeachment and sought to try Johnston. The members of the Senate asked Branson to preside; however, he declined with the following speech:[15]

> With the consent of you Honorable Gentlemen and the consent of your Honorable Presiding Officers, I beg leave to report that in accordance with this respectful request, The Chief Justice of the Supreme Court of Oklahoma is before you gentlemen. For just what purpose, I take it that it is indicated in the notice, incorporated as a motion, which I have just read.

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12 State of Oklahoma, *Oklahoma Reports*, Vol. CXXVII, "Simpson v. Hill," pp. 269–279.

13 "The Governor shall have power to convoke the Legislature, or the Senate only, on extraordinary occasions. At extraordinary sessions, no subject shall be acted upon, except such as the Governor may recommend for consideration." *Constitution of the State of Oklahoma*, Article VI, Section 7.

14 State of Oklahoma, *Journal of the House of Representatives*, Special Session (Oklahoma City: Warden Company, 1927), pp. 44–51.

15 "When sitting as a Court of Impeachment, the Senate shall be presided over by the Chief Justice, or if he is absent or disqualified, then one of the Associate Justices of the Supreme Court, to be selected by it, except in cases where all the members of said court are absent or disqualified, or in cases of impeachment of any Justice of the Supreme Court, then the Senate shall elect one of its own members as a presiding officer for such purpose. The House of Representatives shall present all impeachments." *Constitution of the State of Oklahoma*, Article VIII, Section 3; State of Oklahoma, *Journal of the Proceedings of the State Senate Sitting as a Court of Impeachment*, pp. 55–57.

On an occasion such as this, it would be inappropriate indeed for your honorable servant to make more than the brief statement accorded by your Honorable Gentlemen and your Chairman. The brief statement shall partake of a recitation of my status and of my personal idea of my official and present obligation. It is only with the consent of you Honorable Gentlemen that I make it. It may be considered by some of you out of place. If it is, I again say that I make it with the consent of you gentlemen and ladies.

In 1922, the Chief Justice of Oklahoma was elected to the Supreme Court of the State of Oklahoma, by a popular majority of 99,463, a majority far in excess of that ever received by any man who ever sat upon the highest appellate court with the State. On the 8th day of January, 1923, your Chief Justice took the oath of office as a member of the Honorable Court. Since that time, with the exception of accepting an invitation to be on the summer law faculty of Northwestern University, such as never had come before to any member of the Court, I have never been absent from the Supreme Court, except occasionally when I went over to my farm in Muskogee County. (You know, I am a farmer and the only one in the Statehouse.) I have tried in season and out of season, under my oath, to expedite the docket of the Supreme Court of your State, as a guardian, as I have viewed it whether correctly or incorrectly, of the liberties of the people, their property rights and their political rights. I stand before this Honorable Body of men, under a charge preferred by the honorable men who compose the House of Representatives of the Eleventh Legislature, by a vote of 35 out of 109 members elected to and constituting that Honorable Body.

It so happened, at the direction of the Supreme Court itself, that an important matter, partaking of the nature of a political or governmental matter was presented at great length, in oral argument, last Friday, one week ago, to the Supreme Court, one side vigorously contending in that argument that the Supreme Court, should hold the Eleventh Legislature of Oklahoma had a right, inherent, and by virtue of the so-called bill 79, to convene itself in extraordinary session, on its own initiative, the other side contending that it did not have that right, each citing provisions of the Constitution of the State of Oklahoma, which I, as your humble servant, was under oath to support.

From 7:30 p.m., until midnight, my stenographer and I tugged at authorities, set out in the books, until my idea of law was placed upon paper. It was carried into the Supreme Court the next day. That Court, by 8 votes, adopted what your humble servant had written. Justice Harrison, by another verbiage reached the same conclusion. The opinions are identical and those opinions were to the effect that, under Section 7, Article 6, of the Constitution of your State, which I am sworn to support, which you are sworn to support, that under that Section and under Article 4, of the *Constitution of the State of Oklahoma*, when the legislature had been elected and assembled in its biennial session, continued in session with its legislative and inquisi-

torial powers until it saw fit to adjourn, sine die; that under Article 4, of the Constitution of the State of Oklahoma, provides that neither the executive, legislative nor the judicial departments of the government shall do any functions given to the other departments of state government and that under Section 7, of Article 6, the right to call the legislature was given to the Chief Executive of the State and to no one else. That last sentence was an inhibition against any other department exercising that power. That opinion was not of my making, but the making of your court and the making of the highest judicial body for the interpretation of the *Constitution of the State of Oklahoma.*

With this brief statement, ladies and gentlemen, I must say that I would be, indeed, violating my oath of office; I would be contradicting the opinion of the Supreme Court, which I had placed in file in the office of the Clerk of the Supreme Court of this state, if I, Fred P. Branson, should participate with you honorable gentlemen in any matter, contrary to the expression of the law contained in that opinion.

I am sure, under these conditions, however ready I may be to serve you, and however ready I may be, personally to render every courtesy to you, when you have matters before that Court, that, in your generosity, as individuals, you will graciously excuse me from taking any part in any effort to defeat the laws of the State, which the highest judicial tribunal, authorized to interpret the Constitution of the State and the Laws of the State, has filed in the proper office of the Supreme Court of Oklahoma.

With these remarks, I beg you, in a spirit of generosity, to please excuse the Chief Justice of the Supreme Court from further participating in the matter. I thank you.

After further consideration, the State Senate voted on December 29, 1927, to hold that the articles against Johnston, Branson and Cordell were void as having been made without lawful authority. The legislators returned to their homes, and the challenged officials retained their offices for a time to come.[16]

It should not be assumed, however, that the grievances had been resolved or that the political situation was to be calm and stable in the following months. Conflict had been averted for a season, but the reasons for the conflict were still present. After the events of 1927, the judicial branch was joined as a full party in the proceedings and received as much attention from the legislature as the executive branch.

With the end of 1927, the court had been drawn irrevocably into the very center of the controversy. It had come into open conflict with segments of the legislature, and members of the House of Representatives had clearly

[16] *Ibid.*, p. 103.

Chief Justice of the Oklahoma Supreme Court Frederick P. Branson who declined to preside over the impeachment trial of Governor Johnson

demonstrated they believed impeachment was a proper weapon to use against the justices. The difficulties of the justices were to increase many fold in the next year and a half.

It was in this context that the 1928 election occurred, and Oklahoma voters elected three Republicans to the State Supreme Court. Even if the year 1927 had not been so turbulent in a political sense, 1928 would have

been a very heated election year, for that year, the Democrats nominated the Governor of New York, Alfred E. Smith, a Catholic, for the presidency. This produced a severe strain on the Democratic party of Oklahoma.

The depth of defection among Oklahoma Democrats was demonstrated by the fact that no less a personage than Robert L. Owens, one of Oklahoma's first two United States Senators, supported the Republican nominee, Herbert Hoover, and Hoover's victory in Oklahoma was of landslide proportions. Republican Electors carried the state by a majority of 174,872 votes over the Democratic Electors. The Republicans won a seat on the Corporation Commission, and Judge Thomas H. Doyle, a member of the Criminal Court of Appeals since its creation, was defeated for re-election by Will H. Chappell.[17]

Finally, all three seats on the Supreme Court were won by the Republican nominees—James B. Cullison defeated Justice James I. Phelps by a vote of 284,214 to 283,144, or a majority of 1,070 votes; Chief Justice Fred P. Branson was defeated by Thomas Galphin Andrews by a vote of 331,927 to 235,026; and Justice John B. Harrison was defeated by Charles Swindall by a vote of 303,361 to 260,919.[18]

Impeachment charges had been brought in 1927 against a member of the State Supreme Court for the first time in the state's history. There is little doubt Branson would have faced impeachment charges in 1929 again, had he not been defeated at the polls. However, Branson was not the only member of the court in trouble with the legislature, and it would take an impeachment trial before the legislative-judicial confrontation could be resolved.

The legislature convened in 1929 with much unfinished business as a result of the abortive session in the closing days of 1927. Governor Johnston was still in office; however, by March, he had been convicted by the State Senate on a charge of general incompetency and removed from office in a trial presided over by Chief Justice Mason. Johnston having been rebuked sufficiently for his transgressions, the House of Representatives cast a displeased look toward the State Supreme Court. On March 27, 1929, the members of the House of Representatives voted eleven impeachment charges against Justice J. W. Clark, eleven impeachment charges against Chief Justice Mason and nine impeachment charges against Justice Fletcher S. Riley. Essentially, the charges dealt with the integrity of certain decisions and the influence of some lawyers with members of the court. Justice Riley

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17 State of Oklahoma, *Directory And Manual Of The State Of Oklahoma 1963*, p. 44.
18 *Ibid.*, pp. 84–85.

believed that the charges were in large part a result of the decision in *Simpson v. Hill*, and he later made a statement to that effect in an opinion. One of the articles against each justice made specific reference to the Simpson Case.[19]

The Senate voted to try Justice Clark first. Very long and closely fought by both sides, the trial transcript covered two large volumes, containing 4,125 pages. The Senate sustained a demurrer to Article IV. The *Constitution of the State of Oklahoma* requires a vote of two-thirds of the senators present in order to convict, and the remaining ten articles failed to be adopted. With Justice Clark's acquittal, the legislative attempt to oust members of the court came to an end and the Supreme Court of Oklahoma had survived one of the most difficult challenges in its history.[20]

The court did not lose any of its members as a result of impeachment, but the voters were very hard on the justices, as the first two elections following the impeachment trial illustrated.

In 1930, Justices Mason, Riley and Hunt were candidates for reelection. Justice Mason was defeated by J. Howard Langley. Mason also ran for the Criminal Court of Appeals in 1934 and the Supreme Court in 1936, but both races were unsuccessful. Langley took office in January, 1931, but resigned due to ill health the next month and was succeeded by W. H. Kornegay. Oklahoma's Constitution provided that in the event of a vacancy on the court, the governor would appoint a member to serve until the next general election for state officers; the unexpired term would then be filled.

The State Election Board accepted filings for the unexpired term in 1932, and Wayne W. Bayless was elected. Kornegay did not file, instead he contended the 1932 election was not for state officers and refused to surrender his seat to Bayless. Whereupon Bayless took the dispute to the Supreme Court and won. As a result, Kornegay served only two years on the court. In that two year period, however, he wrote some memorable opinions from the point of literary style. Justice Hunt was defeated for reelection in 1930 by Edwin R. McNeill, and this contest also gave rise to a lawsuit before McNeill's victory over Hunt was secured. Justice Riley was

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19 Buchanan and Dale, *A History of Oklahoma*, p. 322; *Journal of the House of Representatives*, Twelfth Legislature (3 vols., Oklahoma City: The Leader Press, 1929), Vol. II, pp. 2695–2782; *Ibid.*; State of Oklahoma, *Oklahoma Reports*, "In ie Initiative Petitions," Vol. CLIII, pp. 205–262.

20 State of Oklahoma, *Journal of The House of Representatives*, Twelfth Legislature, Vol. II, pp. 2367–2369, 2404–2407, 2444–2447; State of Oklahoma, *Transcript of Proceedings of The Senate of The Twelfth Legislature Sitting As a Court of Impeachment* (Oklahoma City: The Leader Press, 1929), pp. 128–29. This should not be confused with the transcript of the Johnston trial.

reelected in 1930, and was the only one of the four impeached justices—Branson, Mason, Clark, Riley—to win reelection.[21]

The struggle between the court and legislature was one involving strong institutions, with a variety of motives and objectives were responsible for the conflict. Nonetheless the membership of the court underwent dramatic and substantial changes during this time. Each of the Republican members had defeated an incumbent in 1928, thus of the nine members of the court in 1928, one was reelected, one retired voluntarily and seven were defeated for reelection. The various attacks on the court took their toll on the political fortunes of the justices involved and resulted in one of Oklahoma's bitterest political struggles.

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[21] State of Oklahoma, *Directory And Manual Of The State Of Oklahoma*, pp. 69, 75, 77, 82, 94, 137; State of Oklahoma, *Oklahoma Reports*, "Bayless v. Kornegay," Vol. CLXIII, pp. 184–185; *Ibid.*, "McNeill v. County Election Board," Vol. CXLV, p. 148.

EARLY ECHOES FROM BLOOMFIELD ACADEMY

*By Walter N. Vernon**

Located about three miles north of the Red River in Penola County of the Chickasaw Nation, Bloomfield Academy was one of the outstanding schools for Chickasaw Indian girls for over a half century. Opening fully in January, 1853, the institution boasted of twenty-five scholars under the direction of Reverend John H. Carr.

Carr, a good choice as superintendent, was a native of Wilson County, Tennessee; however, his family had moved to Arkansas in 1819, when he was seven years old. Converted and joining the Methodist Church in Hempstead County, Arkansas, in 1833, Carr, the following year, entered the ministry. Serving only two years before he dropped out, he reentered the ministerial ranks ten years later. Carr joined the Indian Mission Conference in 1845, one year after it was organized at Tahlequah in the Cherokee Nation, and for six years preached on the Doaksville Circuit. Afterwards, for one year, he was in charge of the Red River and African Mission and later served as secretary of the Indian Conference from 1857 to 1866.

Thus, Carr had a good background for work with Indian children. As a young man he had witnessed the migration of the Southeastern Indians to present-day Oklahoma and experience at Doaksville, in the Choctaw Nation, gave him a good knowledge of Indian character and needs. Also skilled in carpentry, Carr was able to apply this ability and maintain the school's buildings and aid the Indians with other construction work in the surrounding area.

Teaching the standard courses for the times: reading, spelling, the alphabet, philosophy, mental arithmetic, Adam's *New Arithmetic*, geography, writing and botany, the school offered the girls practical courses in housekeeping as well. The staff originally included Mrs. John H. Carr as matron and instructor of domestic work; and Miss S. Johnson as the principal.

In 1857, Carr reported that the school could, by then, accommodate forty-five girls and that the library had one hundred volumes. Religious training apparently was not neglected as Mrs. Carr reported "a gracious revival of religion now in progress in the school: some fifteen have been soundly converted to God."[1]

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* The author is the Conference Historian for the North Texas Conference and Chairman of the South Central Jurisdiction Commission on Archives and History of the United Methodist Church. The manuscript was derived from Ellen Downs Robinson's original scrapbook, and a letter to her sister, Mrs. W. D. Mountcastle.

[1] *Annual Report of the Missionary Society of the Methodist Episcopal Church, South, 1855*, Archives, United Methodist Church, Oklahoma City, Oklahoma, pp. 71–75, 98–99.

Bloomfield Academy as it appeared when Miss Ellen J. Downs arrived in December, 1856

Continuing to grow, in 1860 Carr reported "sixty scholars," generally between the ages of eight and twelve, were present at the institution. He declared:[2]

> We succeed best with those sent when quite young. There is no definite time for their continuance in school. They are supposed to stay as long as they appreciate and improve the privilege. They sometimes leave us in a few days, and we see them no more, and we have had them remain five years, and do well.
>
> In our system of instruction we endeavor to embrace, as far as possible, the elements of a practical, domestic, and Christian education. Six hours of each day is devoted to regular study. The rest of the day time, allowing a reasonable portion for recreation, is employed in teaching (practically) a thorough system of domestic work. The girls make, mend, wash and iron their own clothes. In this the small ones are necessarily assisted by the larger. . . .Thus they are led to feel that they are mutually dependent on

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[2] *Ibid.*, 1961, pp. 78–79. Wesley's Catechism was probably *The Catechism of the Wesleyan Methodists*, a British product. Part I was labeled "For Children of Tender Years," and consisted of sixteen small pages. "Capers's Catechism" was another small booklet entitled *Catechism for Little Children*, designed for use in mission work in South Carolina, and written by Reverend William Capers.

each other, and to see and appreciate the beauties of mutual assistance. . . . Vocal music is taught to the whole school, and a few have taken lessons on the melodeon. . . .

The Sabbath is devoted exclusively to religious instruction. Our Sabbath-school is divided into three parts: The infant, the catechetical, and Bible classes. They remain in the first until they are able to answer most of the questions in the Infant Teacher's Manual, when they take their places in the second class. In this they complete Wesley's and Capers's *Catechisms* First Part, and then pass into the Bible-class.

The annual support of the school was provided by $4,000 from the Chickasaw Nation, and $666.67 from the Missionary Society of the Methodist Episcopal Church, South. There were undoubtedly other funds received as special gifts from interested friends, for Carr wryly reported that the $4666.67 "is supposed to meet every expense of the school."[3]

In December, 1856, a new teacher arrived at the academy—Miss EllenJ. Downs who taught at the school until 1866 when she moved to Paris, Texas. She was totally dedicated to her work and her friends continually remarked on her devotion to teaching, which she continued until her death on May 2, 1910. Leaving a vivid account of her early life and her adventures at Bloomfield Academy, her writings provide a unique insight into the early missionary efforts in Indian Territory. Only occasional brackets have been added to the original manuscript to aid in identification.

My father, James Downs, was born in Albany County, N.Y. My mother, Freedom Rider, was born in Deerfield, Massachusetts. They were married in Champlain, N.Y., and moved immediately to Hemmingford,[4] Canida [Canada] East, where I was born Dec. 4, 1824. My parents moved back to Champlain, N.Y. during my infantcy [sic] and settled on a farm where they spent the remainder of their days . . . The Spirit of God moved upon my heart while I was quite young, though I had no religious instruction. In the fall of 1837 in a protracted meeting held in our neighborhood by the Rev. Mr. [John] Graves and Rev. Mr. [Oren] Greeg,[5] I sought and obtained

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[3] *Annual Report of the Missionary Society of the Methodist Episcopal Church, South, 1861*, Archives, United Methodist Church, Oklahoma City, Oklahoma, p. 78.

[4] These two towns are only about 20 miles apart.

[5] Reverend John Graves and Reverend Oren Gregg were both the appointed pastors at Champlain in 1836–1837.

God's pardoning love. My father, mother and two brothers were made happy partakers of God's redeeming grace. I with them united with the church on probation on the 5th day of Dec. the day after I was 13 years old, and during all these 67 years God's mercy and grace have never failed me, though I have passed through many sorrows. In 1844 I had two sisters drowned which was a great sorrow to all our family.

I had felt almost from the time of my conversion a strong impression and desire to become a missionary to the Indians, for they were the only heathen that I knew anything about at that time. But I did not see any way for me to become a missionary. So I thought I will do the best I can for the glory of God and the salvation of souls at home. I commenced teaching school and gave religious instruction daily, and was glad of the opportunity to teach the young and tender minds the way of life. Near the close of the eighth session of my school, I received a letter from Mr. [John H.] Carr, missionary at Bloomfield Academy, Chickasaw Nation, Indian Territory, saying that I had been recommended to him as suitable person to engage in the missionary work. And it was on this wise. A Presbyterian missionary had gone on to N.Y. in search of help for his school, and I was recommended to him, but I was a Methodist, and he wanted a Presbyterian, for a Presbyterian school, but he thought of Brother Carr's needing help and he wrote to him of me.

I showed Brother Carr's letter to my pastor and Presiding Elder[6] who advised me to send a copy of the letter to Bishop [Edmund S.] Janes[7] which I did, and received a prompt reply telling me to go. I then answered brother Carr's letter telling him that I would go. As soon as my school was out I began to prepare for my departure, and on the 28th day of Oct., 1856 I bad[e] farewell to father, mother, brothers, and sisters, and took a steamer on lak[e] Champlain to Whitehall, [New York] there changed for [railroad] cars which conveyed me into the city of N.Y. where I spent several days with a cousin who lived there. There I took the Ocian Steamer Philadelphia [Pennsylvania] bound for New Orleans [Louisiana].

Bishop [H. H.] Kavanaugh and wife came on board off the *Black*

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[6] Her pastor at the time was Reverend William Bedell, and the presiding elder was Reverend W. Griffin.

[7] Bishop Edmund S. Janes was second Vice-President of the Missionary Society of the Methodist Episcopal Church, and in it has episcopal supervision of Indian missions. While Bloomfield Academy was under the Methodist Episcopal Church, South, it was a proper step to secure approval from her own denomination on the part of Miss Downs.

Warrior on their return from Calafornia [sic]. He was of great assistance to me, when we arrived at N.O. [New Orleans] he introduced me to the Rev. Mr. [Linus] Parker, who kindly engaged my passage on a Mississippi river boat which took me to Shrieveport [Louisiana]; there I changed for a smaller boat to Jefferson [Texas], from Jefferson to Daingerfield [Texas] I came by stage, from there to Bloomfield Academy, Indian Territory by private conveyance. I was just a month making the whole trip. I was received kindly by the missionary family. I engaged immediately in the mission work.

Most of the girls were rude and uncultivated . . . one would be surprised to see how soon they improved after coming to the school . . . These girls were as easily managed as white girls and learned quite as well, considering that most of them had to learn the English language.

The loud ringing of the rising bell, at half-past four o'clock, though sometimes an unwelcome sound, is a warning to all that it is time to be up and doing. In a few minutes after a teacher ascends a flight of stairs and enters the large dormitory where forty Chickasaw girls repose. At a word all are astir, and proceed to don their attire. This completed, they attack their beds; two girls to a bed. This task is soon over; their beds are neatly made, and they are ready to say their morning prayers. . . . They now silently descend the stairs and proceed to the bathroom to make their toilet. This over, they enter the sitting-room and quietly take their seats to await breakfast; meanwhile, those who can read take their Bibles . . . to learn a verse to recite at the breakfast table, it being the custom when through eating for each member of the family to recite a passage of Scripture before moving back for morning prayers, which are conducted by the superintendent in the dining hall immediately after breakfast. Prayer over, at a signal the girls all leave the dining-hall, except a few who remain to wash dishes, set table, etc., one of the teachers remaining to keep order and give directions. Others, under the superintendance of another teacher, sweep, dust, and put rooms in order, while the smaller ones are allowed to go out and play.

When the work assigned is completed, all have recess until 8 o'clock, when the school bell rings to call them to their respective school-rooms to engage in study and recitation until 12 o'clock, when they have recess for dinner. Then school again from one until three. Then, after a recess, they are called into the sitting-room to engage in work of various kinds . . . until 5 o'clock; then recess until supper; after which is a short study hour; followed by select reading and religious instruction until half-past eight o'clock, the time for evening devotions, which is conducted in the girls' sitting-room. Each girl who is able to learn one recites a verse of Scripture; then a hymn

is sung, and prayer offered by the superintendent. When the clock strikes nine the teacher in charge, with light in hand, ascends to the dormitory followed by this troop of girls, who, as soon as all have entered, bow at their bedsides and repeat the Lord's Prayer in concert, followed by the little prayer, "Now I lay me down to sleep," etc. In a few minutes all are snug in bed, and a chorus of voices responds to the teacher's goodnight as she leaves them.

But we have some amusing circumstances. I will mention one little episode, that transpired soon after I entered the work. I was in the sitting room after school hours, teaching the girls sewing when a message from Mrs. Carr, the superintendent's wife, came that I must prepare the room for a wedding. I put away the sewing and straightened up the room generally, then sent word that we were ready. They came, Mr. and Mrs. Carr, followed by the bride and groom and such a looking couple. The bride was barefooted, had an old calico dress fringed out round the bottom. She had round her an old plaid shawl, and an old red cotton handkerchief tied around her head. The groom had on a pair of buckskin pants with a fringe of the same material down the outer seam of the pants, he had on a hunting shirt of checked wollen [woolen] goods trimed with fringe all round and a wollen [sic] shawl wrapped around his head, he had on a pair of boots and en Indians came riding up, one of them made his horse jump the yard fence, Mr. Carr married them and one of the school girls interpreted for him.

I believe I will mention another circumstance that occrut [occurred]. I remember one morning during vacation that three [there] was four drunken Indians came riding up, one of them made his horse jump the yard fence, rode up to the hous [house] then made him climb the steps, he then rode through the hall into the back yard, then dismounted and came into the house and talked unceasingly for some time, then mounted his horse and rode back through the hall and made him leap the fence again. The others were not as drunk as he was[;] they opened the gate but he would not go through. This man was a half breed, was educated in the states and was real gentleman when he was sober but drink made a fool of him.

During the war between the states, instead of leaving and hurrying home as many did I staid [stayed] at my post and for four years had not note or tidings from home. When the war ceased and the mail started between the North and South my first communication brought me the sad intelligence that my parents were both dead. My mother died just one month after the war commenced.

As the Church had become so impoverished that it could not furnish means to carry on the school longer, so in the fall of 1866 I left the [Chickasaw] nation and came to Paris, [Texas]. The first year I taught in a private

school, and boarded at Dr. [F. M.] Paine's who was then the pastor of the Church. I then went [to] Lamar Seminary where I remained until 1872 when I was married to Rev. J. C. Robinson.

BOOM-SIZZ-BOOM! 'TIS THE DAY WE CELEBRATE!
Old Timer Ruminates on the Fourth of July

"These modern celebrations of the Fourth ain't like those of my day," said the old timer as he chewed and ruminated today. You bet they ain't Why, my little grandson, came out to the farm last year (that was before I moved to town), and the way that kid had me and the farm hands on the jump for three days was a caution. You see, the kid is about 7 years old. Before he left home his father bought him about a dollar's worth of noise with fuses to it. The boy left the crackers and fireworks alone, saying nothing to any one. Mother knew there was a package in his trunk that she didn't know the contents of, but then she thought it was some toys.

But she was mistaken. Some time, along before daylight on the Fourth, before the hands had gotten up to milk the cows and do the early morning chores, the kid got out of bed, unknown to anyone, slipped out the back way and set off what I thought was a box of dynamite. I got into my clothes and rushed out on the back porch. I coudn't imagine what had happened, unless white-cappers were in the vicinity. Naturally, I didn't stop to put on any shoes, and as I went stealthily onto the porch I stepped on the end of the burning firecracker. And in answer to the yell for help that somehow escaped me and above the shouts of the farm hands, came the silvery laugh of that kid.

Well, we got used to the noise during the day, but some of the things that kid done were enough to make me keep away from town. The kid carried around all day with him a piece of lighted punk and a pocketfull of firecrackers, assorted sizes. One of the crackers went down the well, and for days the water tasted of wet pasteboard and powder smoke. And he set a cannon cracker off close to the Herford bull, and that beast tore out five panels of fence trying to get away. After the battle I found five young chickens who had chased firecrackers under the impression, probably, that they were a new kind of bug, and had been in the act of carrying away the luscious prizes when the cracker went off. The chicks died, to the last one, through the effects of opening their bills too far. Case of lockjaw, you might call it.

A neighbor of mine, living down the road a mile, came over in the early evening, after the trouble was over, and sat down to talk. He didn't know the kid was around, and, being deaf, hadn't heard the noise. And you

know, that kid saw the old man sitting there napping before supper was called, lighted a chaser, set it in the direction of the old man, and the chaser did the rest. He couldn't hear the fireworks coming his way, and he never suspected there was any joke being played on him. He saw the thousands of sparks coming toward him. Now, the old man never did drink much, but he would take his nip occasionally, especially on holidays. And this particular occasion he carried more applejack than was good for him.

His eyes sure bulged. He raised his hands slowly, the chaser making slow, but steady, progress toward him. He tried to say something—a prayer, perhaps, but he couldn't talk. Just about that time the chaser gave a last spurt, struck him in the center of his rotundity, and fell to the ground. But the old man didn't. He started homeward. But he didn't stop there. On past he went, to the preacher's. And with his name signed to the pledge, he returned to our house, white and trembling, and apologized for the way he had acted. He actually thought he had been seeing things and that none of the rest of us had. But he never mentioned the thing again.

That night the kid unlimbered a whole battery of fireworks, and we had a good time all around—except a farm hand. He had lived in the city some and thought he would show the kid some things about fireworks that he didn't know. He was barefooted, and, just as he was about to throw a big cannon cracker out into the yard, he stepped on a piece of burning firecracker or fireworks. He let out a yell, but forgot for the minute that he held the lighted firecracker in his hand. With the free hand he grabbed the burned foot and held it up to look at the seared spot, when the other firecracker went off. He disappeared immediately, and we found him an hour later, lying on his back near the spring, his hand in the cooling water, saying things about the Fourth of July that would have sent him to the penitentiary for life could an officer have heard it. But we had a good time, and the kid went home in a few days satisfied. We found later the reason his mother had sent him to the farm was to keep him out of danger. But she overlooked the fact that the danger was only shifted. Gimme another chaw.

Oklahoma City Times-Journal, July 4, 1907

OPENING OF THE MUSEUM OF THE WESTERN PRAIRIE

By Earle Metcalf

The Museum of the Western Prairie celebrated its grand opening and dedication ceremonies along with a week long special exhibits program

beginning on February 23 and extending through March 3.

A pioneer banquet was held Saturday evening, February 23, with a "historical" gunfight as might have occurred in a claim jumping dispute, a comedy act and a fine singing group composed of officer's wives from Altus Air Force Base. Also featured was the best homemade stew this writer has ever tasted.

Sunday at 2:00 P.M. the dedication of the museum and a bronze plaque memorializing pioneer families was held. Approximately 2,000 people, including the Attorney General Larry Derryberry, the State Senator Hershal Crow, the State Representative Howard Cotner, Altus Mayor Hoyt Shadid, Oklahoma Historical Society officials and many old timers and their descendants were on hand.

Various ones made talks and the dedicating addresses were made by Mr. Jack Wettengel, Acting Executive Director of the Oklahoma Historical Society, and Mr. Earle Metcalf.

The dedication of the memorial plaque was conducted by Mr. William Ivester, Vice-President of the Western Trail Historical and Geneological Society which much appreciation is expressed for founding the museum.

NATIONAL REGISTER SITES IN OKLAHOMA

Oklahoma has seventy-seven historical landmarks that have been listed in latest issue of the *National Register of Historic Places*.

Adair County

Golda's Mill, twelve miles northwest of Stilwell.

Alfalfa County

Sod House, about four miles north of Cleo Springs.

Atoka County

Boggy Depot, fourteen miles southwest of Atoka.

Middle Boggy Battle Site and Confederate Cemetery, approximately one mile north of Atoka.

Captain Charles LeFlore House, one-half mile north of Limestone Gap on United States Highway 69.

Old Faucett Well, approximately four miles northeast of Wapanucka.
Waddell's Station Site, approximately three miles southwest of Wesley.

Blaine County

Cantonment, Northwest quarter Section 29, Township 19 North, Range 13 West.
Jesse Chisholm Grave Site, eight miles northeast of Geary via unnumbered county roads.

Bryan County

Bloomfield Academy Site, two and one-half miles south of Achille.
Armstrong Academy Site, approximately three miles northeast of Bokchito.
Colbert's Ferry, three miles southeast of Colbert.
Carriage Point (*Fisher's Station*), four miles west of Durant.
Fort McCulloch, approximately two miles southwest of Kenefic.
Nail's Station, two miles southwest of Kenefic.
Fort Washita, southwest of Nida on Oklahoma State Highway 199.

Caddo County

Apache State Bank, southwest corner of Evans and Coblake, Apache.
Rock Mary, four miles west of Hinton.

Canadian County

Fort Reno, three miles west and two miles north of El Reno.

Cherokee County

Murrell Home (*Hunter's Home*) North one-half Section 22, Township 16 North, Range 22 East.
Cherokee National Capitol, Tahlequah.

Choctaw County

Fort Towson, one mile northeast of Fort Towson.
Chief's House, one and one-half miles northeast of Swink.

Cimarron County

Camp Nichols, three miles northeast of Wheeless on Ranch Road.

Comanche County

Quanah Parker's Star House, Eagle Park, Cache.
Fort Sill, north of Lawton.

Delaware County

Splitlog Church, nine miles northeast of Grove.
Hildebrand Mill, about ten miles west of Siloam Springs.

Ellis County

Site of Town of Grand, fourteen miles south of Arnett.

Garvin County

Initial Point, about seven and one-half miles west of Davis on Garvin-Murray County line (also in Murray County).
Erin Springs Mansion (Frank Murray Home), south of the Washita River, Erin Springs.
Site of Fort Arbuckle, one-half mile north of Hoover.

Haskell County

Green McCurtain House, Northeast quarter Section 35, Township 8 North, Range 20 East.

Johnston County

Wapanucka Academy Site, approximately two miles southeast of Bromide.
White House of the Chickasaws, northwest of Emet.
Chickasaw National Capitals, Capitol Avenue, between Eighth and Ninth Streets, Tishomingo, Oklahoma.

Kay County

Deer Creek Site, six miles northeast of Newkirk.

Kingfisher County

Seay Mansion, corner of Eleventh Street and Zellers Avenue, Kingfisher.

Kiowa County

Devil's Canyon, approximately three miles southeast of Lake Altus Dam.
Camp Radziminski, approximately four miles northwest of Mountain Park.

Latimer County

Pusley's Station, approximately two miles southwest of Higgins.
Edwards Store, approximately eight miles northeast of Red Oak.
Holloway's Station, approximately five miles northeast of Red Oak.
McLaughlin Site, six miles southwest of Red Oak.
Riddle's Station Site, three miles east of Wilburton.

LeFlore County

Peter Conser House, three and one-half miles west of Hodgens.
Trahern's Station, approximately nine miles west of Shadypoint.
Choctaw Agency/Walker Station, approximately one miles northeast of Spiro.
Spiro Mound Group, Northeast quarter Section 29, West one-half of Northwest quarter Section 28, Township 10 North, Range 26 East.

Logan County

Carnegie Library, Oklahoma Avenue and Ash Street, Guthrie.

Love County

Bill Washington Ranch House, about four miles southwest of Marietta.

McCurtain County

Wheelock Academy, east of Millerton on United States Highway 70.
Wheelock Church, two miles northeast of Millerton.

McIntosh County

Honey Springs Battlefield, north of Rentiesville (also in Muskogee County).

Mayes County

Union Mission Site, about five miles northeast of Mazie.
Cabin Creek Battlefield, about three miles north of Pensacola near Cabin Creek.

Murray County

Initial Point (see Garvin County).

Muskogee County

Fort Gibson, northeast of Fort Gibson.
Honey Springs Battlefield (see McIntosh County).
Union Agency, Agency Hill in Honor Heights Park, Muskogee.
Fort Davis, two and one-half miles northeast of Muskogee.

Oklahoma County

Old North Tower, Central State University campus, Edmond.
"Ringing the Wild Horse" Site, West one-half Section 17 and East one-half Section 18, Township 13 North, Range 1 West.
Overholser House, 405 Northwest 15th Street, Oklahoma City.

Okmulgee County

Creek National Capitol. Okmulgee.
Nuyaka Mission, approximately eleven miles west of Okmulgee.

Payne County

Old Central, Oklahoma State University, Oklahoma State University campus, Stillwater.
Jim Thorpe House, 704 East Boston Street, Yale.

Pittsburg County

Perryville, approximately four miles south of McAlester.

Pushmataha County

Tuskahoma, Choctaw Council House, two miles north of Tuskahoma.

Roger Mills County

Washita Battlefield, northwest of Cheyenne on United States Highway 283.

Rogers County

Will Rogers Birthplace, about four miles northeast of Oologah.

Sequoyah County

Sequoyah's Cabin, Sequoyah's Cabin State Park.

Texas County

Stamper Site, two and one-half miles south of Optima on the south bank of the North Canadian River

Wagoner County

Tullahassee Mission Site, northeast of Tullahassee.

Washington County

Nellie Johnstone No. 1, Johnstone Park, Bartlesville.

Washita County

Seger Indian Training School (Colony School), east edge of Colony.

Woodward County

Fort Supply Historic District, Northeast quarter Section 9, Township 24 North, Range 22 West.

PERRY, PRIDE OF THE PRAIRIE. By Robert E. Cunningham. (Stillwater: Frontier Printers, Inc., 1973. Pp. xii, 162. Illustrations. Maps. $7.95.)

This work is another contribution to the historiography of Oklahoma from ex-newspaperman Robert E. Cunningham. A long time resident of Payne County, Cunningham has continued the efforts he began with *Stillwater, Where Oklahoma Began* with this highly readable history of the county seat of Noble County. A self-proclaimed photo-journalist, Cunningham has liberally sprinkled this work with numerous selections from Perry's past. Some eighty-five photographs are represented, the majority collected by the author from interested and willing Perryites.

Like most towns in the area, Perry is the product of the land run held in September, 1893, which filled the Cherokee Strip with prospective land owners. Perry was fortunate enough to be designated as the site for one of the four land offices located in the region. This factor and some unknown force drew more than 25,000 land hungry people to Perry in 1893, creating the town's first real problem. This number was many thousand more than the land around Perry could comfortably handle. This initial difficulty was solved by the creation of four individual townships in the immediate area, each containing 320 acres. This, according to Cunningham, is exemplary of Perry's history. If a problem could be identified, it could be defeated by cooperation and concerted effort.

Rather than utilize a chronological approach to the city's early days, the author narrates Perry's growth topically. Subjects varying from dentists to ladies' clubs are briefly discussed. Each appears electively chosen to fill a gap in the history, so that the work as a whole is a fairly complete portrait of Perry's maturation.

Perry, Pride of the Prairie offers little interpretative analysis other than to emphasize the constant struggle of the townspeople to maintain growth and integrity for their home. The author appears to have had no other purpose in mind. This book, like Cunningham's first, is meant to be read by the citizens of the subject town and their friends. It will shed little light on Oklahoma's history for the trained historian, but the resident of Noble County will find it highly readable and entertaining. This is a good book, with few flaws, which appears aptly suited to its purpose.

Carl Newton Tyson
Cushing, Oklahoma

COURT MARTIAL: A BLACK MAN IN AMERICA. By John F. Marszalek, Jr. (New York: Charles Scribner's Sons Press, 1972. Pp. xv, 320. Illustrations. Index. $8.95.)

A Congressional act on July 28, 1866, opened a new era in American military history, when it authorized for the first time the enlistment of Blacks in the United States Army during peace time. However, the greatest innovation of all took place at the United States Military Academy at West Point, where for the first time Blacks were appointed and accepted for officer training.

Johnson Chestnut Whittaker was one of the twenty Blacks admitted to the academy, although he would not be one of the three Black cadets to graduate from West Point prior to 1889. In 1876, Whittaker, a former slave, accepted an appointment to West Point without any display of emotion. His career at the academy would be associated with one of the most disgraceful chapters in the history of the United States military. It was only his strong religious convictions that sustained him through four years of complete social isolation and ostracism. He ate alone, none of the other cadets ever spoke to him and all refused to march in the same rank next to him. Whittaker's dream of receiving a commission ended on April 6, 1880, when he was found unconscious in his room with his hands bound tightly and tied securely to the bed, blood streaming from his slashed ears and large plugs of hair cut from his head on the floor. The officials at the academy were shocked, but nonetheless they rejected the cadet's claim that he had been assaulted. Instead, the West Point Commandant publicly exonerated the entire corps of cadets before an official court of inquiry could be convened. Furthermore, Whittaker was accused of having inflicted the injuries on himself in order to get public sympathy and lenient treatment from his professors on his final examinations. The cadet was convicted on circumstantial evidence and suspended indefinitely. He requested a court martial to clear his name and readmittance at the academy, but his trial produced the same results. Even favorable public opinion could not alter another verdict of guilty based on much of the same evidence used in the court of inquiry at West Point, and Whittaker was dismissed from the academy. Presidential intervention on his behalf was unthinkable at a time when Black intellectual capacity was being questioned and Black suffrage was still a political issue. When the case was reviewed, and the decision reversed some years later, Whittaker had all but disappeared from public life and the case had lost most of its public appeal. The young man was never reinstated, but regardless of this bitter disappointment, he never lost faith in the promise of America and until his death, January 14, 1931,

Whittaker served the Black community in both South Carolina and Oklahoma as an educator.

Professor Marszalek, who is on the History staff of Cannon College, in Pennsylvania, has written a thorough account of this true American. The product of his research aptly describes the problem of being a Black American during the post-Civil War period. The author is dramatic and objective in analyzing the attitudes and reactions of White America to the problems of Whittaker, and the work is a welcome addition to both the historian's and the general reader's library.

Nudie E. Williams
Oklahoma State University

BUFFALO SOLDIERS WEST. By John M. Carroll. (Fort Collins: The Old Army Press, 1971. Pp. 63. Illustrations. $2.50.)

THE HISTORY OF THE TENTH CAVALRY, 1866–1921. Compiled and edited by E. L. N. Glass. Introduction by John M. Carroll. Regular Regiments Series. (Fort Collins: The Old Army Press, 1972. Pp. iv, 145. Illustrations. Maps. Appendices. $2.50.)

As the exploits of the black horse soldiers were rescued from obscurity by William H. Leckie's *The Buffalo Soldiers*, any additional information about these troops is welcomed by general readers and specialists. Yet the two books reviewed here offer little encouragement to historians awaiting studies of the Tenth Cavalry after the end of the Indian wars.

The illustrations comprising *Buffalo Soldiers West* and commissioned for an anthology of essays edited by John M. Carroll in 1971 are reprinted with brief captions—some are published for the first time. These drawings are executed by western artists with notable reputations. They include Lorence Bjorklund, Jose Cisneros, Bill Chappell, Nick Eggenhoffer, Harold Bugbee, J. K. Ralston and others. One illustrator, Paul Rossi, is the director of the Thomas A. Gilcrease Institute in Tulsa, Oklahoma, and another, Ace Powell, is a working cowboy. As would be expected, Frederic Remington is also represented, but the bulk of the fifty-two illustrations are by other artists.

With a minimum of text, the illustrations in this booklet do not rise above their original intent—illustrations to accompany historical essays treating a small segment of western history. While not necessarily a fault, this narrow scope and limited application does not assure *Buffalo Soldiers West* a larger audience.

A ready-made audience awaits the arrival of a history of the Tenth Cavalry from the Spanish-American War to the deactivation of the unit. In his sketchy introduction to this reprint edition of E. L. N. Glass's history of the organization, Carroll calls this book a "valuable contribution to American militaria." In his exuberance Carroll has overstated the case. More to the point, for a modest price one may obtain a copy of a scarce regimental history which traces the duty stations of this black cavalry unit from 1866 to 1921.

The buyer should be forewarned, however, as a source for researchers this book has serious shortcomings. There are no annotations included in the reprinted text, and, as a consequence, the book is as it originally appeared in 1923. Generally regimental histories are of the blood and guts genre. This one is no exception. The politics of command, the garrison life of the troops, the civilian-military relations, the assessment of the significance of the various military engagements and a host of other historical questions are not treated, or are skimmed over. There is no mention of Henry O. Flipper, the first black graduate of West Point and officer in the Tenth Cavalry, or his courtmartial. In fact, this history of the regiment is a loosely connected compilation of military engagements, narrated in the style of military reports, and a list of honors won by members of the regiment in various interregimental competitions and sporting events.

Letters from various field commanders comprise a series of appendices which supplement the text on the unit's activities in the Spanish-American War, the regiment's service in the Philippines and during the Punitive Expedition into Mexico commanded by General John J. Pershing.

Although this reprint is not necessarily an "invaluable aid to researchers" as Carroll asserts, it is a summary of the Tenth Cavalry's duty stations until 1921. The book is more a bibliographic curiosity than a reliable source for researchers. A definitive history of the Tenth Cavalry from the period of the Spanish-American War to its deactivation in 1944 is yet to be written.

Louis George Griffin, III
University of Kansas

TEXAS: A PICTURE TOUR. By Lon Tinkle. Edited by Norman Kotker. (New York: Charles Scribner's Sons, 1973. Pp. 160. Introduction. Illustrations—color photographs. $12.50.)

Excellent would be one good adjective to describe this photographic essay of Texas. It captures the rugged beauty of the Lone Star State from the Mexican border to the panhandle in the north. This work presents a selec-

tion of some 165 illustrations and spectacular photographs—over a hundred of them in color, including some of the best this reviewer has ever seen. It must have been a difficult task to choose these pictures out of the hundreds that were available, but the author strikes a remarkable balance between all parts of Texas. The work beautifully captures this land of striking variety, with marked contrast being the rule rather than the exception. Through a skillful mingling of the past and present the photographs depict the history, culture, tradition, scenery, natural resources, architecture and contemporary wonders of Texas. In addition, they are generally representative of the state's 250,000 square miles and 10,000,000 people.

The text of this volume has been authored by Lon Tinkle, who is a native Texan and is well known for his reliable writings on the state. His introduction is first rate in being descriptive and informative. The author discusses the legend and tradition of the Lone Star State and their effect on the native Texan of today. In addition, Tinkle discusses the economy and natural resources of the state, mentioning the products of specific areas. A short section covering the early history of Texas reflects more than the story of a courageous and determined people; it stresses the fact that pride is as much a part of Texas as its size and rugged beauty. This text was written with the skill and accuracy expected in Tinkle's works.

While this is essentially a pictorial guide, the volume also contributes to a greater understanding of the "Lone Star State." Pictorial works can be of great value to the historian, and this one is a welcome addition. However, there is a definite need for additional books of this type dealing with other states. Tinkle's work will be used by libraries and historians alike, and is highly recommended to all.

William E. McFarland
Stillwater, Oklahoma

THE BIG LONESOME. By Will Bryant. (Garden City, New York: Doubleday and Company, Inc., 1971. Pp. 352. $6.95.)

Reviewing a novel for an historical journal presents unique problems for the reviewer. He must decide if the readers of the journal are primarily concerned with the historical merits of the book, or should the novel be considered on its literary merits? I've decided to straddle the fence and comment on the historical merits as well as the literary value of *The Big Lonesome.*

The elements of the Greek tragedy and the Roman stoic are skillfully used by Will Bryant in his novel depicting the hard life of prospectors in

the northwest United States during the Civil War. The harsh and sometimes cruel methods of white men who searched the river valleys in quest of gold to satisfy their greed, the struggle between man and nature and the attempt to understand the ways of the gods are part of the life of Tobin Shattuck. Shattuck is a boy traveling with his prospecting father when the story opens. The story takes the reader through several episodes which depict the raw lives of frontiersmen. In the end the hero comes to terms with his world.

The Big Lonesome is an interesting novel; however, it does have weak points. The major fault I found with the work was the occasional sudden introduction of characters which I was not prepared to meet. At each of these points I would find myself rereading sections of the book looking for something I had missed. The end result was that the author and I were not communicating. The sudden shifts in the book distract the reader more than provide him with a sense of realism or a feeling of the Greek tragedy.

Let's turn to the question of the historical value of *The Big Lonesome*. Historical data is used in the novel, and the data is correct—at least in broad general terms. However, numerous works are available which present a more accurate interpretation of the mining era in the region. Any further criticism of Will Bryant along this line would be unfair because he did not set out to write a history. His objective was to comment on problems which have faced all men in all ages. He accomplished his objective.

Paul Bonnifield
Stillwater, Oklahoma

THE PEOPLE OF AMERICA. By T. D. Stewart. (New York: Charles Scribner's Sons, 1973. Pp. x, 261. Index. $3.95. Paperback.)

Dr. Stewart is a distinguished physical anthropologist now emeritus at the National Museum of Natural History of the Smithsonian Institution. He spent much of his scholarly career engaged in field work and research among the Eskimo and Native Americans in the Western Hemisphere and his book, the first in a series of physical anthropological studies devoted to different geographical areas, is chiefly devoted to these elements in the American population. Stewart's survey is primarily concerned with the physical aspects of man in the New World, eschewing cultural manifestations to a large extent in order to concentrate on population distribution, physical appearance and dimensions, diseases and inheritance patterns. Americans not of either Eskimo or Native American origins receive rather short shrift in Stewart's book with only a short, scanty chapter devoted to these post-Columbian additions to the population.

For the general reader and even the historian the book is dull in many places, and at times impenetable given its turgid prose and use of anthropological shorthand in charts and graphs. However, the diligent reader can glean much of value and interest from the work. The author, for instance, devotes considerable space to a fascinating analysis of the ways and means by which man first came to America from Asia, and thence dispersed throughout the Western Hemisphere. Based on geological evidence and historical reconstructions, Stewart indicates that man crossed a previously existing land bridge between Siberia and Alaska, where now the Bering Strait lies, and then passed through an ice-free corridor between northeastern Alaska and central North America into the American heartland. The periods during which the ice-free corridor was open determines the eras man was able to move southward and thus man came south 10,000 to 14,000 years ago. If he reached central North America before this period it would have had to have been either 28,000 to 30,000 years ago or possibly some 50,000 years past.

Stewart provides a chapter on the physical nature and distribution of man in 1492 on the eve of white contact. He reviews the various arguments concerning the total numbers and density of the native American population at that time arriving at the conclusion that given present evidence only an approximation of between ten million and one hundred million people can be estimated. The author states that Americans of 1492 were relatively disease-free evidently without being afflicted with the epidemic killers of tuberculosis, malaria and syphilis. His evidence concerning the last mentioned disease will disappoint those hoping that the Indians got their revenge in regards to the European invader through bestowing the venereal disease on them. Syphilis, alas, appears to have been another contribution of Western Civilization.

The People of America covers other topics including myths concerning the origins of the native Americans, analysis of the physical makeup of the Indians of Aztec Mexico and Inca Peru, skull deformation distributions, Eskimo and Aleut physical types as well as various archaeological evidence concerning early man in North America. Stewart's work appears generally sound although an eyebrow or two might be lifted concerning passages such as that praising the attitude of the Brazilian government towards its indigenous Indian population at a time when newspapers and missionaries are revealing the genocide being practiced on them.

Norman Lederer
Menard Junior College
Merrill, Wisconsin

NAVAJO ROUNDUP: SELECTED CORRESPONDENCE OF KIT CARSON'S EXPEDITION AGAINST THE NAVAJO, 1863–1865. By Lawrence C. Kelly. (Boulder: Pruett Publishing Company, 1970. Pp. xii, 192. Drawings. Maps. Photographs. Bibliographical Essay. Appendix. Index.)

The Battle of Glorieta Pass, in the spring of 1862, marked the end of the Civil War in the West, but it did not mean an end of fighting in New Mexico Territory. As Federal troops withdrew to Eastern theatres, Navajo and Mescalero Apache Indians began raiding the white inhabitants with increasing frequency. The countering military operation of 1863–1864, directed by Brigadier General James Henry Carleton, that resulted in an end to the marauding of the Navajo and their subsequent internment on a reservation, has been the subject of voluminous literature. Now another work has been published a combination of text and ninety-seven letters (fifty previously unpublished) related to the campaign.

Lawrence Kelly's fresh evidence gathered at the National Archives and the Library of Congress, clarifies and corrects much of the previous writing on Carson's expedition. There are three principal revisions in the work. Carson is revealed as a reluctant, yet perservering and compassionate soldier whose mission was hampered by discipline problems; the Canyon de Chelly encounter and resultant Navajo surrender, previously thought of as a military victory only, is shown to have actually been dependent upon Carson's ability to persuade a sizeable number of Navajo that they were going to be removed to another location, not exterminated. Also important in the capitulation was the influence of Delgadito, a Navajo leader who had surrendered to Carleton. A portrayal, more factual than earlier accounts, is given of the six-stage removal of the Navajo to the reservation at Bosque Redondo.

The author has written objectively and offered a convincing argument based upon sound research. However, there is some awkwardness in the presentation of the material. On virtually every page is a combination of text, documents and valuable, but copious, explanatory footnotes, all of which must be read to fully understand the account, even though the contents overlap in several instances. Perhaps, a better arrangement would have been to divide the book into two parts, one made up of chapters of text and then a second containing the edited correspondence.

Aside from the shortcomings of the format, the book is invaluable for anyone interested in Southwestern Americana. Kelly's account of the

roundup, chronicling the end of 150 years of intermittent Navajo-white warfare, provides historians with the facts surrounding an important chapter in the evolution of federal Indian policy.

Richard H. Faust
University of Oklahoma

BOOMTOWN: A PORTRAIT OF BURKBURNETT. By Minnie M. Benton. (Wichita Falls, Texas: Nortex Offset Publications, Inc., 1973. Pp. ix, 65. Table of Contents. Maps. Photographs. Drawings. Bibliography. $4.95.)

In 1906, S. Burke Burnett sold his 17,000 acre 6666 Ranch, located north of Wichita Falls, Texas, to Joseph A. Kemp and Frank Kell. Kemp and Kell subsequently built a railroad across the ranch, subdivided the land into quarter-sections and sold town lots to form the village of Burkburnett. During the next decade, Fowler's Folly—an oil well situated on the outskirts of the town—came in and thereby initiated the famous Burkburnett boom of 1918–1922. The boom was of short duration but sufficiently bawdy to attract Hollywood writers of a later day. In 1940, Metro-Goldwyn-Mayer released a film entitled *Boom Town*, starring Clark Gable and Spencer Tracy. It told a tale of wildcat drilling in what was postured as the mud-and-shanty frontier town of Burkburnett. Today "Boom Town" is a city of perhaps 10,000 people, but the oil resources are mostly a matter of memory.

In *Boomtown: A Portrait of Burkburnett,* Minnie M. Benton has reconstructed the brief but exciting history of that former "oil town." In it she deals with the early history of the area, the boom period, the important early developers, the post boom era and Burkburnett during the 1950s. Unhappily, the epilogue—designed to bring the history of Burkburnett to the present—is inadequate. Moreover, the several sections are of uneven literary and historical merit; the first two-thirds, covering the period to 1937, is clearly superior to the remainder. Local history buffs will be pleased with the book, professional historians less so. Yet, it does help to broaden the understanding of the oil boom period—an important and frequently neglected aspect of Southwestern history.

Donovan L. Hofsommer
Wayland College

RED CAPITALISM: AN ANALYSIS OF THE NAVAJO ECONOMY. By Kent Gilbreath. (Norman: University of Oklahoma Press, 1973. Pp. 157. Maps. Charts. Appendix. Footnotes. Bibliography. $2.95.)

To those interested in the contemporary problems that face the Indians of the United States in general, and the Navajo Indians in particular, this short volume by Professor Gilbreath will be a welcomed addition to the growing literature on Indian problems. This is an economic study of the largest Indian tribe in the United States, and it is an important contribution to the study of the Navajo people. The book deals with such topics as the current economic situation, the legal and political problems, the financing of Navajo businesses, the cultural influences on business development, the importance of education to economic growth and the author's recommendations regarding the future of the Navajo economy.

The Navajos have a population of 130,000, and they occupy a reservation in Arizona, New Mexico and Utah that is about the size of West Virginia. The per capita income is less than one-fourth of that of the country as a whole, and this fact is best exemplified by the low standard of living on the reservation. Contributing to the economic problems found on the reservation is the undiversified economy of the Navajos, the dependence on agriculture and the rapid growth in population. Most Navajos remain on their reservation, and two-thirds of the people are unemployed because there are few businesses that can hire Navajos.

Legal and financial factors retard the Navajo economy. For example, the family use-ownership land-tenure system makes it difficult to obtain a business lease, and besides, there is little capital to be invested on new businesses. Culturally, the Navajos discourage the accumulation of wealth, and the people are not the competitive sort. And educationally, the Navajos lack sufficient knowledge about business enterprises and a market economy. Gilbreath believes that small retail and service-oriented businesses are the best hope for the Navajo economy. What is needed, he argues, is the development of a small business community. He concludes that in order to solve the problems facing these Indians, the Navajos should work with anthropologists and economists and attempt to find the answers to overcome their dilemma.

Gilbreath has provided students of the American Indians with a groundbreaking study which should serve as an introduction to the economic understanding of the Navajos. This is a work designed to ask questions as well as answer them, and it will be used by those seeking to help the Navajo people in their quest for economic growth, sufficiency and independence.

Cliff Trafzer
Arizona Historical Society

HISTORICAL STATISTICS OF THE SOUTH, 1790–1970. Edited by Donald B. Dodd and Wynelle S. Dodd. (University, Alabama: University of Alabama Press, 1973. Pp. vi, 85. $7.95.)

At first glance this volume would appear to be of little interest to historians. The only textual information is in the preface and a glossary of terms. The remaining seventy-six pages contain state-level census data on general population, agriculture and manufacturing statistics from 1790 to 1970; general statistics for manufacturing establishments since 1899; and population of cities having 50,000 or more inhabitants in 1950. All of this information is already available in printed census reports. The absence of a text in which some interpretation of the census data extracted from published reports would seem to restrict the use of this volume to those few who take delight in reading lists of numerical information and somehow believe they are not in a barren and desolate desert.

Yet, this appearance is deceptive as this is a very valuable and useful volume for students of Southern history. Those who have used the decennial census reports or the statistical abstract, *Historical Statistics of the United States*, will appreciate the convenience of having in a few pages information scattered through a number of volumes and reports. Furthermore, as definitions used in compiling the census reports have changed over the years, the glossary of key terms is quite helpful. While some might argue that the sixty-one categories of information represent a very narrow perspective, it should be noted that they were selected primarily for their continuity over 180 years. This perspective of almost two centuries is a very useful corrective to the perspective found in Howard W. Odum's *Southern Regions of the United States*.

The chief weakness of the book is that the information is at the state level. Many of the questions now being asked by students of Southern history require data at the county level. A collection of census information over the same categories but at the county level for each state would be a major contribution to Southern history. However, as we seldom have the best of all possible worlds, students of the region would be ungrateful not to commend the editors and the University of Alabama Press for collecting and publishing this very useful volume.

Charles M. Dollar
Oklahoma State University

SHEM, HAM & JAPHETH: THE PAPERS OF W. O. TUGGLE, COMPRISING HIS INDIAN DIARY, SKETCHES & OBSERVATIONS, MYTHS & WASHINGTON JOURNAL IN THE TERRITORY & AT THE CAPITAL, 1879–1882. Edited by Eugene Current-Garcia, with Dorothy B. Hatfield. (Athens: University of Georgia Press, 1973. Pp. viii, 361. Appendices. Index. $12.50.)

William Orrie Tuggle (1841–1885) was a Georgia lawyer who managed to find work arguing for the Creek Nation in a claim against the Federal government in 1879. The job took him to Indian Territory and Washington, D.C., and his experiences prompted him to make some notes. Wisely, his family kept them in storage for nearly a century, but in 1960 Ms. Hatfield, a graduate student of Eugene Current-Garcia's at Auburn University, located them *en route* to a Master of Arts degree. Unwisely, the professor and his former student have now collected and published those notes in an erratically edited and annotated volume that is less than adequate in the study of Indian history and culture.

Though Tuggle had recorded his experiences in the hope of future publication, it remained for John R. Swanton to put the collection of myths into usable form in the 1920s. Tuggle had tried to achieve their publication and failed—John Wesley Powell said they were in need of considerable revision—but the judgments of his contemporaries have not kept Current-Garcia and Hatfield from likening the Georgian to Henry Rowe Schoolcraft and concluding that "the annals of folklore have been enriched through his dedicated and self-sacrificing labors." Historians and literary critics may argue the particulars, but if Tuggle's papers do have any value, it will be found in the folklore they contain and not in the diaries and journals, which contribute little to history.

Physically, the book is handsome indeed, and the University of Georgia Press is to be commended on its appearance. Unfortunately, the only illustrations are those on the dust jacket and end papers, and the only two maps were not bound with the book but were merely inserted in leaflet form.

William W. Savage, Jr.
University of Oklahoma

☆ FOR THE RECORD

MINUTES OF THE QUARTERLY MEETING OF THE BOARD OF DIRECTORS OF THE OKLAHOMA HISTORICAL SOCIETY: February 28, 1974 (Recessed from January 24, 1974)

The recessed quarterly meeting of the Board of Directors of the Oklahoma Historical Society was called to order at 10:00 A.M. by President George H. Shirk. Mr. E. Moses Frye moved that the Board approve the action of the officers of the Board in changing the meeting date from January 24, 1974, to February 28. This action was taken because of the death of Executive Director Dr. V. R. Easterling on January 22. Mr. H. Merle Woods seconded the motion, which passed.

Mr. Jack Wettengel, Acting Director, called the roll. Those members present were Mrs. George L. Bowman, O. B. Campbell, Joe W. Curtis, Harry L. Deupree, M.D., W. D. Finney, Dr. LeRoy H. Fischer, Bob Foresman, Mrs. John Frizzell, E. Moses Frye, Nolen J. Fuqua, Dr. James Morrison, Fisher Muldrow, H. Milt Phillips, Jordan B. Reaves, Miss Genevieve Seger, George H. Shirk and H. Merle Woods. Mr. Frye moved to excuse the following members who had submitted an absence request: Lou S. Allard, Henry B. Bass, Q. B. Boydstun, Denzil D. Garrison, Dr. A. M. Gibson, John E. Kirkpatrick, W. E. McIntosh and Earl Boyd Pierce. Mr. Finney seconded this motion, which carried.

The members of the Board paused reverently in memory of Dr. Easterling. Mr. Shirk announced that an extensive tribute would be paid to him in a future issue of *The Chronicles of Oklahoma.*

As a result of membership application forms placed in the Fall issue of *The Chronicles*, the requests for membership more than doubled in the past quarter; a total of 154 annual members, according to Mr. Wettengel. Mr. Louis L. Lowrie and Mr. Ross Relph applied for election as life members. Mrs. Bowman moved to elect the applicants and to accept the gifts received by the Society during the quarter. The motion was seconded by Miss Seger and passed.

Mr. Reaves introduced his guests, Mr. Hale Bicknell, chaplain of the Stand Watie Camp of the Sons of Confederate Veterans, and Mr. Hugh Hampton, assistant curator of the Confederate Memorial Room in the Historical Building.

Mr. Bicknell paid tribute to Dr. Easterling and presented a monetary gift ($213) to be used in the Confederate room in an appropriate remembrance

to Dr. Easterling. Mrs. Frizzell moved to accept the gift: Mr. Frye seconded the motion, and it was passed.

The Society has received a number of checks in memory of Dr. Easterling and the Executive Committee voted to ask the Board's approval of a suggestion to make these donations a living and continuing memorial by placing them in the Muriel H. Wright Endowment Fund. This fund is being administered by the Oklahoma City Community Foundation, Inc., free of overhead charges. As noted in the October, 1973, meeting, the Foundation will present an annual $300 award to the author of the article of special excellence appearing in *The Chronicles*. Mrs. Frizzell is in charge of the solicitation program to develop the fund.

Mr. Paul Brown, Oklahoma City attorney, was introduced by Mr. Curtis as the donor of a framed print of an original photograph taken in 1931 of the Oklahoma City oil field. This field produced from the Wilcox sand and was noted for its prolific wells, one of which averaged as much as 148,000 barrels per day. The view of the proximity of the wells to each other is interesting when compared with the controlled spacing of today's fields. Mrs. Bowman moved to accept the picture. Mr. Frye seconded, and it was passed.

Mrs. Bowman gave the Treasurer's report, and asked the members of the Board for donations to augment the flower fund. Mr. Shirk expressed the Board's gratitude to Mrs. Bowman, Mrs. Frizzell and Miss Seger for their efforts in preparing on behalf of the Board a meal for the Easterling family.

Dr. Morrison in his report told of the organization of the Red River Valley Historical Society and presented an introductory sheet for the *Red River Valley Historical Review*, a quarterly journal. He also presented to each Board member a publication by the late Todd Downing, Professor of Choctaw Language and Choctaw Heritage at Southeastern State College. This work is entitled *Chahta Anompa, a Choctaw Grammar*.

The contract has been let to spend $80,000 on the restoration of the South Barracks at Fort Washita, according to Dr. Morrison.

Mr. C. N. Milner, an original member of the Fort Washita Commission, died during the past quarter. Dr. Morrison paid tribute to "Pop" Milner as the one who kept prodding him to begin the development of Fort Washita, now one of the state's most significant historic sites.

Dr. Fischer reviewed the work of the Society's Museum Division. Three exhibits were prepared for the Confederate room, four shows were developed for the West Gallery Feature of the Month series, plans have been made for additional shelving and Mark Cantrell and Kenneth Wadsworth are now permanent members of the staff.

An outstanding contributor to the museum for the past two years has

been Mrs. Charles Nesbitt. She is a Senior Member of the American Society of Appraisers and has given generously of her time and energy evaluating the contents of the Society's Overholser and Phillips homes. Dr. Fischer advised the Board that the Museum Committee and the staff recommended that she be honored. Dr. Fischer moved that Mrs. Nesbitt be awarded the Society's Certificate of Commendation for her efforts. Mrs. Bowman seconded the motion and it was passed unanimously.

The Museum Committee presented a Policy Statement regarding acquisition and disposal of items received by the Museum and Historic Sites divisions of the Society. Mr. Phillips moved that the statement be approved, Miss Seger seconded, and it was passed.

Mr. Curtis reported on the Library Committee meeting which followed the October, 1973, Board meeting. The matter of preserving and cataloging old court records was discussed. This program will be a long term one, and the Committee is working on a policy statement regarding the work to present to the Board. Mr. Shirk asked that an inquiry be made, for the responsibility of preserving these records may be under the jurisdiction of the state archivist.

The Education Division has been active on two fronts, reported Mr. Foresman. Heritage clubs are being formed in many high schools and an annual meeting is being planned for April. Twelve state schools attended the Guthrie meeting last year.

In Oklahoma City, an Oklahoma heritage series was presented during the winter months. Currently, Kenneth Clarke's *Civilisation* series is being shown two afternoons a week in the auditorium. Mr. Foresman announced that Mr. Bruce Joseph, Director of the Education Division, is working with the State Board of Public Affairs on the refurbishing of the auditorium which will take place during the summer.

Other programs in the Education Division are the compilation of sets of pictures to accompany last year's series of booklets on the *Plains Indians*, *Pioneers* and *Oklahoma Blacks*; the presentation of a series of ethnic musical programs during April and May; a Black Heritage museum program; a Junior League open house for state legislators on April 16; and the development of four traveling exhibits, which may be requested for two-week periods by interested groups. These exhibits feature the Plains Indians, Blacks in Oklahoma, Five Civilized Tribes and the Pioneers. Nine history majors are serving their internship with the Society during this period.

Mrs. Frizzell presented the financial report of the dinner for Muriel Wright held October 25, 1973. She also gave a comparative report of the Society's membership fees for January 1, 1908, January 1, 1957, and those of the present day. Plans are being made for a membership drive.

Displayed in the Board Room was a bronze bust of the late Judge Robert A. Hefner, long-time member of the Board. The Hefner family have donated the bust, knowing the deep interest Judge Hefner had in the Society. At the family's request, the bust is to remain in the Historical Society building. Mr. Shirk made this announcement and suggested that each Board member might wish to write a letter of thanks to Mr. Robert A. Hefner, Jr., Mr. Bill Hefner and Mrs. Evelyn Coombs. Dr. Fischer moved to accept with gratitude the gift of the Hefner family. The motion was seconded by Mrs. Bowman, and carried.

President Shirk announced that the Executive Committee has appointed Mr. Jack Wettengel, Newspaper Director, as Acting Executive Director of the Society on a temporary basis. Mr. Wettengel has agreed to serve as an unclassified, rather than classified employee of the state, and his salary will be increased commensurate with the additional responsibilities.

The Executive Committee will follow the same procedure as that used in selecting the previous Executive Director. The Committee decided that it would be financially unwise to appoint a permanent director before July 1, 1974.

It was the final recommendation of the Committee that the Operating Committee be abolished. Mr. Phillips moved to accept the recommendations of the Executive Committee and the appointment of Mr. Wettengel as Acting Executive Director. Mr. Campbell seconded, and it was passed.

Individual letters were mailed to the Governor and to key legislators advising them of the appointment of Mr. Wettengel. The Governor, President Pro Tempore James E. Hamilton, Senator Ed Berrong and Representative John Miskelly, Jr., all graciously sent letters of acknowledgment.

Mr. Phillips moved that the previous procedure giving Mr. Shirk authority to appoint a committee to screen and recommend applications for Executive Director be followed. Mr. Shirk stated that the Executive Committee shall serve as members of the committee.

The Historical Society constitution provides that nominations of eligible persons for membership to the Board of Directors be made in writing to the Secretary prior to January 1. If none is received, then the Secretary casts one vote for the five incumbent directors. As no nominations were received, Mr. Wettengel cast one vote and declared the five nominees reelected. These members are Henry B. Bass, O. B. Campbell, E. Moses Frye, Nolen Fuqua and Denzil Garrison.

Mr. Shirk announced that Mrs. Carolyn Skelly Burford in December, 1973, made a gift to the Society of one-quarter of the mineral interests of property owned by Mrs. Burford in Texas. These interests have been appraised at $136,400 and the deed for the gift has been recorded. Mr. Shirk

asked the Board to confirm his acceptance of the gift as of December, 1973. Mrs. Burford has stipulated that the proceeds from this gift be used by the Historical Society for the preservation and maintenance of historic homes, such as the Phillips home and the Overholser mansion. She also has given a like gift to Historical Preservation, Inc. This organization has voted to give a $1,000 contribution to the Oklahoma Historical Society for use at Overholser. Mr. Frye moved to accept these gifts as of December 11, 1973, and to adopt a Resolution to be made a part of these minutes. Mr. Fuqua seconded the motion, which carried. Dr. Deupree moved to make Mrs. Burford an honorary life member of the Society as of February 28, 1974. Dr. Fischer seconded the motion, and it passed unanimously.

The matter of a program for acceptance of less than fee gifts was placed before the Board by President Shirk. A way is being sought so that those interested in historical preservation can be of help with overhead and cost. One method is that the donor give a sight easement, which would prevent anyone from causing an obstruction of the protected view. There is such an easement at Mount Vernon, thus affording a view to the Potomac River. Another legal document of this nature is a façade easement. These serve as assurances that a site will always remain unobstructed and unmarred by future development. It is required that a state agency accept such easements so that the donor may deduct the value of the gift from his income tax. The Internal Revenue Service has developed a formula to determine the worth of such easements for deductible purposes. Mr. Shirk said that he has accumulated a file of these documents, for they are becoming important legal instruments. He expressed the desire that he would like to have the Society emerge as the accepting agency for the state. Mr. William J. Ross has offered to be the chairman of a committee to handle all aspects of this program. Mr. Shirk advised that the Society has the power to accept gifts of this nature. Mr. Phillips moved that the Board state that it is the Society's policy to act as donee of less than fee easements for historic purposes. Mr. Woods seconded the motion, and all were in favor.

Another gift of major significance is being planned by the Kerr Foundation. It has been proposed that the Society be given the Kerr mansion, including twenty acres of ground, near Poteau. Mr. Robert S. Kerr, Jr., Senate President Pro Tempore Hamilton and Mr. Shirk have met on several occasions to further the negotiations. A budget of operational expenses is being prepared by the Foundation to submit to Senator Hamilton. Mr. Shirk commended that it is a tribute to the Society that the Kerr Foundation would wish to give the property to the Society.

One of the stipulations is that the facilities are to be available for subleasing portions thereof to related organizations in the eastern part of the

state. The Eastern Oklahoma Historical Society will become one of the subtenants. Mr. Phillips moved to approve this project; Dr. Fischer seconded the motion, and it was passed unanimously.

Mr. Shirk asked that a proposed deed of conveyance from the Society to the Methodist Church of the Fulsom Chapel be approved. Miss Seger placed this request in the form of a motion; Dr. Morrison seconded, and it was carried.

Mrs. Helen Champlin Oven has given the Oklahoma Historical Society fifty shares of common stock of T R W, Inc. The certificate is made out to the Society and is in Mr. Shirk's possession. Mr. Shirk said that the proceeds are restricted for use only at the Overholser home. It is planned to sell the stock at the most advantageous time and apply the proceeds to the Overholster account. This plan was placed in the form of a motion by Mr. Curtis, seconded by Dr. Fischer, and passed.

United States Senator Dewey Bartlett was presented two watches recently by King Faisal of Saudi Arabia. It is required by law that such gifts be given to the government or other public agency, according to Mr. Shirk. Senator Bartlett in complying therewith has designated the Historical Society agency. The watches will become a part of the museum's collection. Miss Seger moved to accept them; Mr. Frye seconded, and the motion passed.

Mr. Phillips asked Mr. Fuqua to describe another generous gift presented to the Society. Mr. Fuqua announced that Mrs. Louise Sager of Duncan, widow of a former official of Halliburton Services, has given a complete set of Halliburton's publication, *The Cementer*, dating from 1944. Mr. Fuqua is requesting the company to place the Society on the mailing list to receive the publication each year. Mr. Phillips added that the collection will be microfilmed and then placed in the library. He authorized Mr. Wettengel to make a gesture of thanks to Mrs. Sager, and moved to accept the collection. Mr. Curtis seconded the motion and it carried. Dr. Deupree asked if the donation of similar collections to the Society for safekeeping might be suggested to other companies.

Mr. Phillips moved that Mr. Wettengel prepare the Certificate of Commendation for presentation to Mrs. Sager. Dr. Deupree seconded the motion and it was passed.

The Board authorized the President to appoint a board of directors for the Tulsa Aero Library and Museum. The members of the board so appointed are Joe Adams, W. R. Blake, Dr. Joe W. Lemley, Wesley McKinney and Fred Rawson, who shall supervise the making of a feasibility study. Those appointed to the Task Force Advisory Committee are Representative Leslie Guy Ferguson, Senator Gene Howard and Representative Howard

Williams. Mr. Wettengel was instructed to write letters to Dr. Joe W. Lemley and the board and committee members advising them of the official appointments by the Board of the Historical Society.

A discussion followed regarding the terms of the lease with the Museum of the Western Prairies, an organization in Altus funded in the Society's 1973 appropriation bill. Mr. Shirk requested that the organization be apprised more fully of the line of authority of the Society. As a division of a state agency, programs inaugurated by a division must first have the approval of the Executive Committee of the Board of Directors of the Historical Society. The lease in favor of the Society expires June 30, 1974.

The date of the Society's Annual Meeting is set at the January meeting of the Board; this date is usually the fourth Thursday in April. This year, however, the Honorable Carl Albert, Speaker of the United States House of Representatives, has graciously consented to be the speaker at the luncheon which follows the Annual Meeting and the Board meeting. Mr. Wettengel introduced Mr. Bill Willis of Granite, who is manufacturing a marker honoring Mr. Albert. The dedication of this marker will be held on Saturday, April 27, 1974 in McAlester. Therefore, Mr. Frye moved to set the date of the Annual Meeting on Friday, April 26, in order that Mr. Albert will be able to attend both functions.

Another item of business handled at January meetings is the election of officers for the coming calendar year. Mr. Shirk was reelected President; Mr. Phillips, Vice President; Mr. Finney, Second Vice President; and Mrs. Bowman, Treasurer.

Mr. Jack Downing Baker's name was inadvertently shown as Jack Downing in the October, 1973, minutes. Mr. Muldrow moved to correct the error. Mr. Woods seconded the motion, which passed

Mrs. Frizzell proposed the name of Mr. Don McGibbon, Jr., for a life membership in the Oklahoma Historical Society. Mr. McGibbon is the designer of the Oklahoma Indian flag carried on the Skylab IV space mission by Colonel William R. Pogue, and because of his interest in the Society, he has promised future design work for the Society free of charge. The only cost would be that for materials. The proposal was met with enthusiasm and Mr. Reaves moved to accept Mr. McGibbon's offer and to award him a life membership in the Society. Mr. Muldrow seconded the motion, and it was carried.

At the Annual Meeting in April Mr. Ed Fleming of Enid will present the original Oklahoma state flag to the Historical Society. This flag was inherited by Mr. Fleming from his mother, Mrs. O. J. Fleming, all as detailed in the March, 1931, *Chronicles of Oklahoma.*

The Board was notified of the resignation of Mr. Walter B. Hall as

Chairman of the Fort Towson Commission. Mr. Finney moved to accept the resignation with regret, as well as to accept the appointment by Mr. Hall at a September, 1973, meeting of the Commission of Mrs. Clarabel Tepe as Secretary of the Commission. Dr. Fischer seconded the motion, which passed.

There being no further business, the meeting was adjourned.

GEORGE H. SHIRK, PRESIDENT

JACK WETTENGEL, ACTING EXECUTIVE DIRECTOR

RESOLUTION

WHEREAS, Mrs. Carolyn Skelly Burford by deed of conveyance dated 11 December 1973 and accepted by the President of the Society on its behalf on said date, conveyed to the Oklahoma Historical Society, an agency of the State of Oklahoma, certain mineral interests in Val Verde County, Texas; and

WHEREAS, the President of the Society caused said instrument of conveyance to be recorded in the office of the County Clerk of said county in Book 262 at page 436; and

WHEREAS, delivery of said conveyance to the President of the Society was accompanied with instructions that, notwithstanding the unqualified nature of the gift, it was the desire of the donor that the proceeds therefrom be expended from time to time as may be determined by the Board of Directors of the Society in its work in connection with the preservation of noteworthy homes and period residences of early citizens of Oklahoma, and that the Society seek the advice and guidance of Charles Nesbitt, Esq., Attorney at Law, in connection with the leasing, development, sale and conveyance of any of said mineral interests; and

WHEREAS, at its first meeting since the action of the President in accepting said gift, the Board of Directors of the Society does hereby wish to confirm, ratify and adopt the action of the President in connection therewith.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Oklahoma Historical Society, an agency of the State of Oklahoma, that the gift of Carolyn Skelly Burford to the Oklahoma Historical Society, an agency of the State of Oklahoma, contained in mineral deed of conveyance dated 11 December 1973 and recorded in the office of the County Clerk of Val Verde County, Texas in Book 262 at page 436 be and the same is hereby confirmed, ratified and approved; and that the action of the President

of the Society in accepting said gift on the said 11th day of December 1973 be and the same is hereby approved.

BE IT FURTHER RESOLVED by the Board of Directors that the instructions of the donor, which in no way modify the unqualified nature of the gift, with respect to the management of the said property and the application of the proceeds be confirmed and approved.

ADOPTED this 28th day of February 1974.

GEORGE H. SHIRK
President

ATTEST:
JACK WETTENGEL
Secretary

GIFT LIST FOURTH QUARTER, 1973–1974

LIBRARY:

Photostat copy of original marriage license in Indian Territory, Third Judicial Division, of T. B. (Thomas Bailey) Stewart and Birdie A. Little, November 19, 1893.

Donor: Mrs. Adelia Sallee, their daughter, Norman, Oklahoma.

The Disruption and Decline of the Oklahoma Socialist Party by Garin Burbank, University of Winnipeg.

Donor: Author, University of Winnipeg, Canada.

Will Rogers—The Man and His Times by Richard M. Ketchum and American Heritage, 1973.

Donor: Michael Shannon Hull and Richard Lockard Hull, Midwest City, Oklahoma.

Original handwritten diary of Private George H. Johnson regarding the Battle of the Washita.

Donor: Mrs. Delores Floyd, a grand-daughter, by George H. Shirk, Oklahoma City, Oklahoma.

Copy of House Joint Resolution 707 of 93rd Congress, 1st Session, House of Representatives, August 3, 1973, introduced by Hamilton Fish—A Joint Resolution to authorize the return of the remains of Pocahontas to the United States from burial site in England.

Donor: Mrs. H. H. Blair of Oklahoma City, Oklahoma.

Ego and Coleman History: Nineteenth Coleman Reunion 1955–1973. (Johnston County, Oklahoma).

Donor: Ms. Vela J. Costellow, Tishomingo, Oklahoma.

The Oklahoma Baptist Chronicle Vol. XVI, No. 1, Spring 1973.

Donor: Baptist General Convention of Oklahoma Historical Commission, Oklahoma City, Oklahoma.

A Parish on the Move—Silver Jubilee History of St. Anne's Catholic Church of Broken Arrow, Oklahoma by Reverend John Schug Capuchin.

Donor: Compiler, Broken Arrow, Oklahoma.

Revolutionary Census of New Jersey by Kenn Stryker-Rodda, 1972.
Donor: Mr. and Mrs. Charles H. Sparks by the Oklahoma Genealogical Society, Oklahoma City, Oklahoma.
Log Cabin Philosophy and Other Writings by Oma Sherill Clark, compiled by Wanda L. Clark, 1973. 2 copies.
Donor: Compiler of Pryor, Oklahoma.
Microfilm: *The Descendants of William Towne, 1670, Salem, Massachusetts.* Compiled by Edwin Eugene Towne, 1901.
Donor: The Hale Bicknells, Edmond, Oklahoma.
The Kickapoo Indians of the United States, 40 page compilation.
Listing of Sac and Fox (Males) twenty-one years and above.
Listing of Citizen Band Pottawatomies (Males) twenty-one years and above.
Listing of Shawnees (Males) twenty-one years and above.
"Live Women Who are Live Influences" by M. Johnson, 1920.
Oklahoma General Baptist Convention speech delivered by General Lee Phelps, October 19, 1920, at McAlester, Oklahoma.
Donor: Collection of Mrs. Harriet Gilstrap by son, Colonel Lee Gilstrap, Claremore, Oklahoma.
History of the St. Andrew's Society of Charleston, South Carolina 1729–1929, by J. H. Easterby.
Donor: Mrs. Adelia Sallee, Norman, Oklahoma.
Harbison, Graveston, Knox County, Tennessee and The Graves Genealogy by Thomas Howe R. Neal, 1973.
Donor: Author of Knoxville, Tennessee.
Memorial to Jesse V. Howell 1891–1971 by F. M. Fryxell and Noel Evans.
Donor: F. M. Fryxell, Rock Island, Illinois.
Clason's Oklahoma Green Guide Commercial Index, ca 1934.
Highway Map and Guide of Oklahoma ca 1928.
Donor: Mrs. Don P. Porter, Neodesha, Kansas.
List of American-Flag Merchant Vessels that Received Certificates of Enrollment or Registery at the Port of New York 1789–1867, Vols. I and II. The National Archives, 1968.
Donor: Bill Robertson, Checotah, Oklahoma.
Oklahoma State University '73 Annual Research Report.
Oklahoma Zoological Society's *ZOO Sounds*, October 1973.
Oklahoma City Urban Renewal Authority, 1973.
Report of the Budget Committee United Appeal, June, 1973.
Quarterly Supplement to the Oklahoma Bar Journal, September, 1973.
The Tellus, 1925 Yearbook for Douglas High School, Oklahoma City, Oklahoma.
Annual Report and Directory State Insurance, 1973.
The Bugle, September 1973.
Directory of Agency Services United Appeal for Greater Oklahoma City Area, 1973.
"The Washita River Focus of the Southern Plains" by Robert E. Bell; reprinted from *Variation in Anthropology*, 1973, Illinois Archaeological Survey.
National Gallery of Art Annual Report 1972.
Annual Report Oklahoma City Community Foundation, Inc.
ANS Bulletin No. 32, September 1973.
Friends of Ely Cathedral Year Book, 30th Annual Report, 1973.
Directory and Register Rolls-Royce Owners' Club 1971–1972.

Names, Vol. 21, No. 3, September, 1973.
Hoofprints, Vol. 3, No. 1, Spring-Summer, 1973.

Following seven publications of The Newcomen Society:
Keeping Industry In Motion For Fifty Years—The Story of Bearings, Inc. by Joseph M. Bruening.
The Story of Fuqua Industries, Inc. by J. B. Fuqua.
United States Borax and Chemical Corporation—The First One Hundred Years, by Norman J. Travis and Carl L. Randolph.
Renaissance of The Clorax Company by Robert B. Shetterly.
The Milton Bradley Story by James J. Shea, Jr.
The Story of Norris Industries, Inc.—From Job Shop to Industrial Giant by Kenneth T. Norris.
The McNally Story by Edward T. McNally.

"O. U. Law Alumni News," Vol. 17, No. 3, Fall 1973.
Oklahoma Highwayman, 29th Biennial Report, 1973.
Tsa-La-Gi: An Historical Concept by Colonel Martin Hagerstrand, October 25, 1973.
Military Collector and Historian—Journal of The Company of Military Historians, Vol. XXV, No. 2, Summer 1973.
The Bar Register, Lawyers of the United States, Canada and Other Countries, 1970, 1971 and 1972.
Frontiers of Science Foundation of Oklahoma, Inc., Eighteenth Annual Report 1973.
National Endowment for the Humanities—Program Announcement 1973–1974.
ANS Bulletin No. 33, Fall Issue, December 1973.
After Agnes—A Report on Flood Recovery Assistance by Pennsylvania Historical and Museum Commission, 1973.
John Rogers Hall—University of Tulsa College of Law Dedication, 1973.
The Kerr Foundation Report to Oklahoma, 1973.
Donor: George H. Shirk, Oklahoma City, Oklahoma.

PHOTOGRAPH SECTION:

Little Willie, weighed 642 lbs., Caddo Indian at Binger, Oklahoma.
Sod House of the Caddo Ridge Family at Gracemont, Oklahoma near Binger, Oklahoma.
Binger, 1912, after the fire.
Binger, main street, 1904, 1908, 1910 and 1942.
Donor: L. M. (Hoot) Kerbo, Binger, Oklahoma.
Collection of sixty-six photographs of Haskell Institute, Sacred Heart, Sac and Fox School, Sac and Fox Agency, old Shawneetown, Shawnee School, Pottawatomie Reserve in Kansas, Whistler's Prairie, Indian Territory, Moses Keokuk, Kickapoo Station, Indian Territory, Wyandotte Indians and Oklahoma Military Academy.
Donor: Collection of Mrs. Harriet Gilstrap by son, Colonel Lee Gilstrap of Claremore, Oklahoma.
Panoramic view of Second Regiment, Field and Staff of Governor's Escort, June 16, 1921, in Oklahoma City picturing William Franklin Grubaugh.
Donor: Eugene S. Grubaugh, Spencer, Oklahoma.
Collection of sixteen framed photographs former property of late Judge Vaught of Oklahoma City, Oklahoma.

Donor: Dr. and Mrs. Wayman J. Thompson, Oklahoma City, Oklahoma.

"Judge Bayne"—photograph from Knight's Gallery of Greenville, Texas ca 1880–1890.
Donor: Leonard F. Ball, Washington, D.C. through George H. Shirk, Oklahoma City, Oklahoma.

INDIAN ARCHIVES DIVISION:

Fort Sill and Chiricahua Apache Tribes v. United States, Docket Nos. 30, 48, 30A and 48A: Findings of Fact; Order.

Bay Mills Indian Community, et al v. United States, Docket No. 18R: Opinion; Findings of Fact; Final Award.

Blackfeet and Gros Ventre Tribes v. United States, Docket Nos. 279C and 250A: Opinion Interlocutory Order.

Cherokee Nation v. United States, Docket No. 173A: Findings of Fact; Order.

Pillager Bands of Chippewa Indians v. United States, Docket No. 144: Opinion; Additional Findings of Fact; Final Award.

Minnesota Chippewa Tribe v. United States, Docket No. 18C: Opinion; Additional Findings of Fact; Final Award.

Chippewa Cree Tribe v. United States, Docket No. 221C: Opinion; Order.

James Strong, et al (Saginaw Chippewa Indians) v. United States, Docket No. 13A: Order dismissing plaintiff's petition.

Choctaw Nation v. United States, Docket No. 249: Opinion; Order.

Goshute Tribe v. United States, Docket No. 326J: Order.

Iowa Tribe and Sac and Fox Tribe v. United States, Docket No. 153: Order re attorneys' expenses.

Iowa Tribe and Sac and Fox Tribe v. United States, Docket No. 135: Order.

Miami Tribe v. United States, Docket Nos. 131 and 253: Opinion; Findings of Fact; Order.

Miami Tribe v. United States, Docket Nos. 124C-F 131: Findings of Fact; Order.

Potawatomi Tribe, et al (Chippewa and Ottawa tribes), Docket Nos. 216, 15L, 29-I, 13K, 18P, 40-I: Opinion; Findings of Fact, Final Order.

Potawatomi Tribe, et al (Miami and Peoria tribes), Docket Nos. 128, 309, 310, 15-N, 15-O, 15-Q, 15-R; 29 L, M, O and P, 24B, 254, 314B: Opinion, Findings of Fact; Interlocutory Order.

Potawatomi Tribe, Peoria Tribe, Miami Tribe v. United States, Docket Nos. 15-D, P, Q; 29-B, N, O; 99; 124H; 254: Opinion; Order.

Sac and Fox Tribe and Iowa Tribe v. United States, Docket Nos. 158, 209, 231: Opinion; Final Award.

Sac and Fox Tribe of Oklahoma v. United States, Docket No. 83: Opinion; Additional Findings of Fact; Final Award.

Six Nations, et al. v. United States, Docket No. 84; Stockbridge Munsee Community, et al. v. United States, Docket No. 300B: Opinion; Additional Findings of Fact; Final Award.

Xerox copy of List of males over twenty-one years old of Sac and Fox, Iowa, Citizen Potawatomi and Shawnee Indians (ca 1892).
Donor: Mrs. Harriet Patrick Gilstrap, Oklahoma City, Oklahoma.

Cherokee Indian News, The, October 16 and 23, 1973.
Donor: Martha Royce Blaine, Oklahoma City, Oklahoma.

Indian Life, Vol. 7, No. 5.
Donor: Indian Life, Rapid City, South Dakota.

"Bibliography of Comanche Indians," by Martin Cantu.
"Historical Outline of Significant Indian Events, with emphasis on the Comanche Indians 1700–1924," by Martin Cantu.
Donor: Martin Cantu, Sacramento, Calif.

MUSEUM:

Day bed.
Source: Mrs. Kathleen Cole, Wagoner, Oklahoma.
Nineteenth century tableware.
Source: Melvin Edwards, Laverne, Oklahoma.
Collection of items from donor's family including World War I items which belonged to donor's father, Captain Earle M. Hough, Veterinary Corps; spectacles and case which belonged to donor's great-grandfather, N. F. Hough; payroll book which belonged to donor's grandfather, Willis Hough; and other family articles.
Source: Emerson M. Hough, Oklahoma City, Oklahoma.
Envelope, "Best Wishes . . . U.S.S. *Oklahoma*;" dated January 1, 1938.
Source: Captain Kenneth Lazier, Santa Cruz, California.
Soldering iron.
Source: Mr. and Mrs. E. Leverich, Oklahoma City, Oklahoma.
Galvanized foot tub.
Source: Glenn Hohimer, Yale, Oklahoma.
Cedar chest; handmade bedspread.
Source: Homer Ray, Yale, Oklahoma.
"Overstuffed" chair.
Source: Mrs. Homer Ray, Yale, Oklahoma.
Mid-nineteenth century wood shoe last, which belonged to donor's grandfather, Daniel Moore of Kentucky.
Source: Daniel Moore, Guthrie, Oklahoma.
Wooden commode, from Thomas Moran homestead near Coyle, Oklahoma.
Source: Mrs. J. W. Schneider, Coyle, Oklahoma.
Edison Mazda light bulb; bread board used by donor's mother; yearbooks; photographs; other documents.
Source: Mr. and Mrs. Don Moon, Kansas City, Missouri.
Typed history of Ego-Coleman communities.
Source: Mrs. Vela J. Costellow, Tishomingo, Oklahoma.
Framed diploma from Harley Institute, Tishomingo, Indian Territory, to Frank E. Godfrey, with photograph and seal.
Source: Mrs. F. E. Godfrey, Durant, Oklahoma.
Color photograph of Chickasaw Council House prior to restoration.
Source: R. C. Hardcastle, Oklahoma City, Oklahoma.
Purse and necklace, both Chckasaw beadwork, which belonged to donors' mother, Martha Chapman Patterson, who lived in the Chickasaw Nation.
Source: Mrs. Katherine Patterson Davis, Madill, Oklahoma, and Mrs. Janet Patterson Severson, Midwest City, Oklahoma.
Horsehair coat, used by donor's family, in the Chickasaw Nation.
Source: Harvel E. White, Wichita, Kansas.
Photographs of Cyrus Harris, donor's great-grandfather; fish gig; framed allotment certificate; framed page from family Bible showing family history.
Source: S. Russell Polk, McAllen, Texas.

Photograph, reproduction of original, of Sophia Cravatt Potts Frye, granddaughter of Cyrus Harris.
Source: Mrs. Juanita Keel Tate, Ardmore, Oklahoma.

Collection of tools and household items used by donor's grandfather, S. M. White, last superintendent of Harley Institute.
Source: Mrs. Cora Bailey, Ardmore, Oklahoma.

Quilting frames and stands, used by donor's mother, Mrs. Margaret Carroll.
Source: R. G. Carroll, Oklahoma City, Oklahoma.

Louis XV style love seat and chair.
Source: Mr. and Mrs. T. Winston Eason, Oklahoma City, Oklahoma.

Military bugle, carried by donor's grandfather in the Spanish-American War in the Phillipines; machine gun from World War I.
Source: R. E. McCoy, Edmond, Oklahoma.

Late nineteenth cenury calculator used by H. O. Stark, first Actuary for the Insurance Department of Oklahoma.
Source: State of Oklahoma, Office of the Insurance Commissioner, by Joe B. Hunt, Oklahoma City, Oklahoma.

Quilts; coverlets; other linens.
Source: Mrs. Clifford LeHew, Pawnee, Oklahoma.

Commemorative coin from Diamond Jubilee, Weatherford, Oklahoma.
Source: Fred Olds, Edmond, Oklahoma.

Collection of items from donor's family including brown dress worn by donor's grandmother, Rhoda Fullbright Simpson ca 1860; wood burning stove; and a number of items which belonged to Hattie Kramer.
Source: Dick Stone, Oklahoma City, Oklahoma.

Enlarged photographs, reproductions from original photographs in the collection of donor.
Source: Robert Cunningham, Stillwater, Oklahoma.

Edison 1916 movie projector, used by donor and his brother to show movies in the Wynnewood, Oklahoma area, in the 1920s.
Source: James Riley, Oklahoma City, Oklahoma.

Collection of farm tools and household items used by donors' grandfather, S. M. White, last superintendent of the Harley Institute.
Source: Mrs. Ruby Riepe and Miss Veneta White, Wynnewood, Oklahoma.

Bars of soap manufactured by the Silica Manufacturing Company, Cashion, Oklahoma, and placed for sale in the store of Mrs. W. G. Smith's father, C. R. Klingman, ca 1902.
Source: Mrs. Robert Hammond, Guthrie, Oklahoma, and Mrs. W. G. Smith, Cashion, Oklahoma.

Newspaper, *The Oklahoma Capital*, Saturday, April 27, 1889.
Source: Mrs. Clarence Murphy, Guthrie, Oklahoma.

Jury box from Wapanucka, Indian Territory court, later stored at the Court Clerk's office in the Johnston County Court House, Tishomingo, Oklahoma.
Source: Mrs. Ruth Stamps, Tishomingo, Oklahoma.

NEW ANNUAL MEMBERS*

October 26, 1973 to January 24, 1974

Allen, Mrs. LeRoy	Glen Mills, Pennsylvania
Ambrister, Mrs. Hubert	Oklahoma City
Anderson, Homer S.	Ponca City
Ash, Russell A.	Alexandria, Virginia
Barnes, Mrs. Vurlan	Seminole
Barry, Barbara A.	Midwest City
Beals, Bert	Oklahoma City
Bergman, Carl	Lawton
Bernardy, Jerry J.	Oklahoma City
Boggs, Earl	Muskogee
Bohannan, W. E.	Checotah
Bradford, Mrs. Chlo	Oklahoma City
Briscoe, John R.	Edmond
Brown, Lyford M.	Schenectady, New York
Burris, Mrs. Lowell	Broken Arrow
Butterfield, Rev. R. E.	Oklahoma City
Carpenter, Mrs. Lucile	Wagoner
Carter, Mrs. F. L., Jr.	Wynnewood
Casey, George W.	Chandler
Caskery, Anna I.	Midwest City
Chaney, Leo	Ardmore
Chez, Jo S.	Los Gatos, California
Clark, Mrs. Amos	Ardmore
Clark, Mary R.	Midwest City
Cochran, James	Wynnewood
Colbert, James H.	Ardmore
Condren, Mrs. Ann W.	Oklahoma City
Contra Costa County Library Central	Pleasant Hill, California
Dark, Mrs. Edra J.	Wynnewood
Delbridge, Mrs. Juanita	Edmond
Desper, George N.	Oklahoma City
Easterling, Lt. Lael R., U.S.N.	Charleston, South Carolina
Elliott, Don O.	Tulsa
Ellis, Robert	Duncan
Flanagan, Keith	Goodwell
Fondren, C. F.	Oklahoma City
Foore, Ronald Eugene	Tulsa
Fowler, Oscar	Stigler
Gilbert, Doris L.	Wagoner
Goslin, Betty	Midwest City
Gray, Mrs. Joe Ann	Norman
Grubb, William S., Jr.	Okmulgee
Hampton, Ruth	Okmulgee
Harris, Mrs. James A. (Pauline)	Wagoner
Hatler, Debra	Pryor
Heard, Mrs. R. C.	Locust Grove

Hibgee, John L.	Muskogee
Hobe, Mrs. Carrie S.	El Reno
Howard, Harley	Seminole
Hyden, A. F.	Tulsa
Jackson, Mrs. Clyde	Durant
Jimenez, Virginia	Oklahoma City
Johnson, Lamont R.	Oklahoma City
Johnson, Lester, D.V.M.	Stillwater
Johnson, Valda Vinita Crow	Ponca City
Johnson, Walter H.	Altus
Johnston, Terry C.	Boulder, Colorado
Jordan, Mrs. M. A.	El Reno
Kelly, Gene M.	Yale
Kilius, Margaret	Henrietta
Kitch, Mrs. Georgia L.	Mustang
Knapp, Mrs. George L.	Tulsa
Knapp, Lyman	Blackwell
Krakel, Dean	Oklahoma City
Lawrence, Jon T.	Tulsa
Lee, Mrs. Truman	El Reno
Lehmann, W. E.	Guthrie
Maffucci, Mrs. Anthony	Norman
Mann, John B. Ph.D.	West Simsbury, Connecticut
Marsh, Hubert D.	Oklahoma City
Martin, Phillip Don	Oklahoma City
Marts, Pearl	Lawton
McCurdy, Mrs. Bill L.	Guthrie
McKinley, William	Roswell, New Mexico
McSpadden, Herbert Thomas	Chelsea
Metscher, Richard	Fairmont
Metscher, Ted A.	Oklahoma City
Metscher, Mrs. Ted F.	Enid
Morgan, Daniel H.	Mazie
Neal Mrs. Joan	Oklahoma City
Oliver, Lt. Col. Kenneth G.	Hutchinson, Kansas
Oliver, Thomas M.	Lamesa, Texas
Olmstead, Eula Ruth	Marshall
Parker, Nell M.	Miami
Patterson, Lawrence D.	Picher
Pavlicek, Mrs. Louise A.	Redmond, Oregon
Pendleton, Mrs. George C.	Durant
Perryman, Dr. R. A.	Claremore
Philip, Boyle J., Jr.	Oklahoma City
Pool, Jake	Lindsay
Pope, Doris J.	McAlester
Powell, Earl L.	Norman
Privett, Mrs. B. D.	Yukon
Quenzer, John B.	Edmond
Ralls, Manton	Duncan

Read, J. S.	Comanche
Reding, Allen	Stillwater
Reding, Bernard H.	El Reno
Reding, Bernard H., Jr.	Houston, Texas
Richardson, O. V., Jr.	Oklahoma City
Riley, Clifford W.	Spiro
Robberson, Dr. M. E., Jr.	Wynnewood
Roberson, Jere W.	Edmond
Rodgers, Wilma M. (Mrs. J. L.)	Norman
Rubey, Kathy	Jenks
Ruths, Charles P.	Tulsa
Salisbury, Arthur W.	Clinton
Sandlin, Kathryne	Oklahoma City
Sasakwa Superintendent of Schools	Sasakwa
Savage, Mary Mabry	Hammon
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Scheer, Ms. Awanda	Muskogee
Scoggins, Harold, Jr.	Annandale, Virginia
Scott, Mrs. Ruth	Norman
Shamblin, Garland D.	Oklahoma City
Shaw, Charlotte Ann	Blanchard
Shi, W. B.	Stratford
Smith, Charles H.	Norman
Smith, Herman J.	Ponca City
Snell, Mrs. Mary E.	Norman
Spears, Jack	Tulsa
Spunaugle, Twila	Mountain View
Stafford, Mrs. W. W.	Blackwell
Stair, Donald	Tulsa
Stamps, Bob D.	Mill Valley, California
Stein, Mrs. L. D.	Dallas, Texas
Sykora, LaVerne	Maysville
Tate, J. B.	Canton, Georgia
Teas, Mrs. Paul C.	Dallas, Texas
Thomas, Mrs. Laura	Oklahoma City
Thomas, Michael Condon	Oklahoma City
Thombrough, Charlene	Mountain View
Tidrow, Dr. Joe W.	Tulsa
Tidrow, R. E., Sr.	Rosston, Arkansas
Tidrow, Robert E.	Ponca City
Titsworth, Mrs. Clifton	Shawnee
Trimble, Bradley Dean	Topeka, Kansas
Trolinger, Mrs. Don	Oklahoma City
Turner, Alvin O.	Altus
Unkeper, Mrs. Golda	Stilwell
Valliere, Kenneth L.	Tuscaloosa, Alabama
Voth, Mrs. George	Des Moines, Iowa
Walch, Mrs. George	El Reno
Wanda, Marshall	Tulsa

Weatherford, Mrs. Gladys	Maysville
Whitten, Dr. Dolphus, Jr.	Oklahoma City
Whitten, Marie B.	Oklahoma City
Williams, Mrs. Vera R.	Muskogee
Wilson, Terry	El Reno
Wyatt, John O., Jr.	Oklahoma City
Young, Terry R.	San Gabriel, California
Zea, Merle W., Jr.	Lawton
Zeigler, Harold W.	Oklahoma City

NEW LIFE MEMBERS

October 26, 1973 to January 24, 1974

Lowrie, Louis L.	Oklahoma City
Relph, Ross	Oklahoma City

New Annual 154
New Life Members 2—Louis L. Lowrie, Ross Relph

Total New Members 156

• All members in Oklahoma unless otherwise designated.

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The Oklahoma Historical Society was organized by a group of Oklahoma Territory newspaper men interested in the history of Oklahoma who assembled in Kingfisher, May 27, 1893.

The major objective of the Society involves the promotion of interest and research in Oklahoma history, the collection and preservation of the State's historical records, pictures, and relics. The Society also seeks the co-operation of all citizens of Oklahoma in gathering these materials.

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the chronicles OF OKLAHOMA

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THE COVER The *U.S.S. Oklahoma* as it appeared after its modernization in the 1920s. Commissioned on May 2, 1916, the *Oklahoma* and its sister ship, the *U.S.S. Nevada*, were the first to adopt the three-gun turret for their fourteen-inch naval rifles. In addition to the ten-gun main battery, the ship had originally carried a secondary battery of twenty-one five-inch guns, several anti-aircraft guns and four submerged torpedo tubes. Though displacing 27,500 tons, the *Oklahoma* had a speed of twenty-one knots due to the new oil-burning engines, and was one of the most modern naval vessels in the world at the time of its launching. Making only a token contribution to the American war effort during the First World War before the conflict ended, the *Oklahoma*, after accompanying President Woodrow Wilson on his peace mission to France, reverted to a peacetime training role. However, during the naval modernization program of the 1920s, the ship underwent a major overhaul which included the replacement of the tubulor-steel mast with the more conventional tripod superstructure. In addition, the complement of officers and men was raised from the original 864 to approximately 1,400. Once again ranking among the better battleships afloat, the *Oklahoma*, after several cruises with the Atlantic Fleet, was eventually assigned to the United States Pacific Fleet in 1940, and later sunk at Pearl Harbor, Hawaii, on December 7, 1941.

U.S.S. OKLAHOMA, "MINISTER OF PEACE"

*By Joseph A. Stout, Jr.**

On December 7, 1941, at 6:00 A.M. six heavily loaded Japanese aircraft carriers and their escort vessels bristling with torpedoes and other armor, reached a prearranged launching point 275 miles north of Pearl Harbor, Hawaii. Immediately 350 aircraft were launched and one hour and forty minutes later the first wave of fighters, torpedo planes and dive bombers reached Oahu, Hawaii, and the American Pacific Fleet. At 7:55 the day that shall "live in infamy" began amid exploding bombs, cannon fire and strafing. As a result, in slightly less than two hours the United States Navy suffered its most crippling blow—nineteen ships including the *U.S.S. Oklahoma* were badly damaged or sunk; $25,000,000 worth of airplanes had been destroyed; millions of dollars in ammunition and supplies were lost; 2,383 men were killed; and 960 more men were missing in action.[1]

The attack had come as a complete surprise to the civilian population and most military officials at Pearl Harbor, for the only outward signs of impending war with Japan had been the deteriorating Japanese-American diplomatic negotiations during the fall of 1941. Even though the Japanese consular agents had destroyed all records in preparation for war, few believed that the Japanese would attack. And if they did, most thought the strike would fall against the Philippines.[2]

The *U.S.S. Oklahoma* was doomed from the beginning, for it was hit in the first attack wave and struck by four torpedoes exploding at fifteen second intervals. Aside from the damage inflicted from the Japanese planes it was also in danger of being blown apart by the fleet oiler *Noeosho* which had been unloading aviation gasoline nearby and now threatened to explode. By the time the oiler got underway the *Oklahoma* had capsized, partially blocking the exit path the smaller ship followed. Listing heavily to port,

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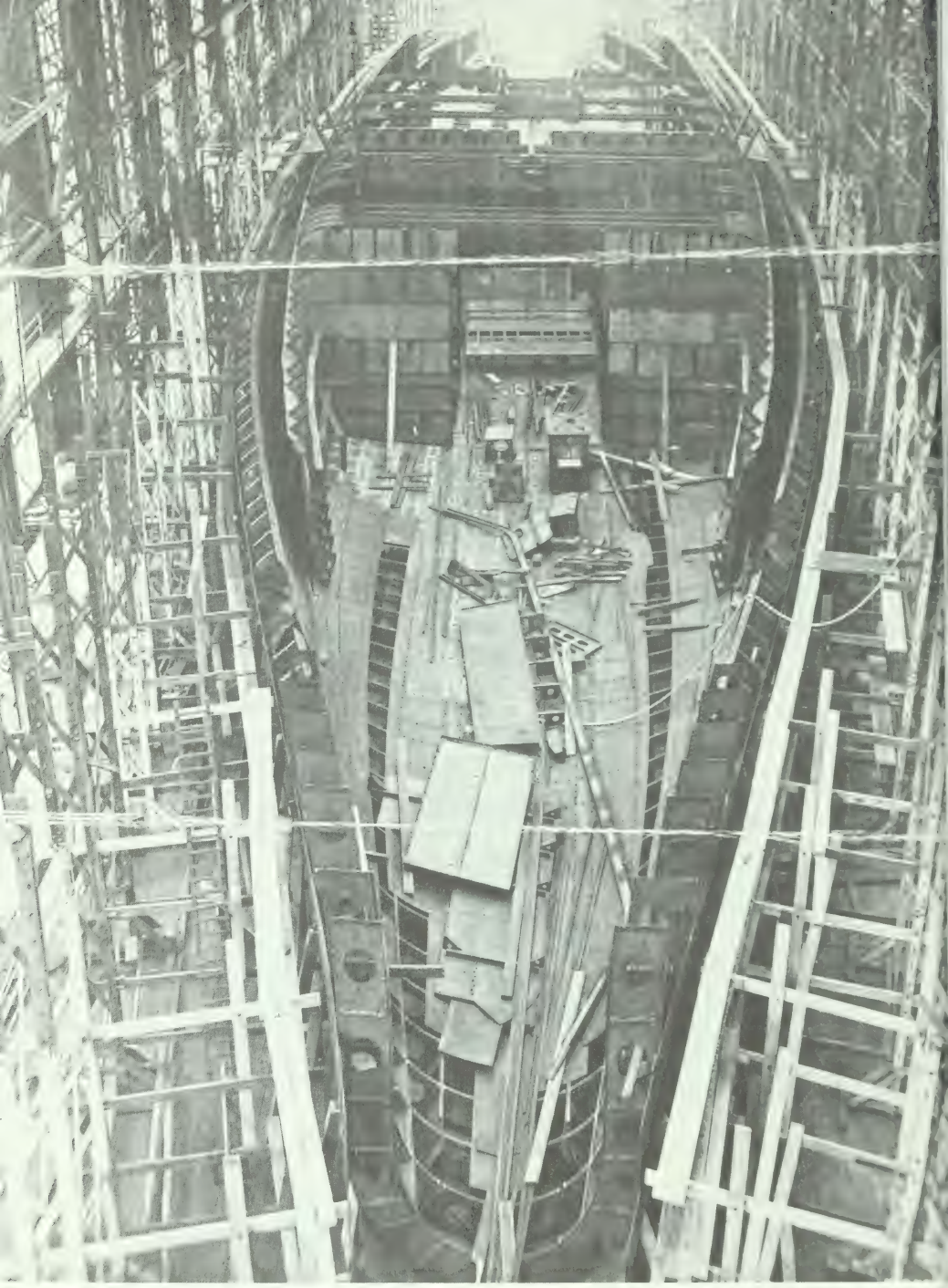
* The author is currently an Assistant Professor of History at Oklahoma State University, Stillwater, Oklahoma.

[1] Francis Trevelyan Miller, *History of World War II* (Philadelpiha: The John C. Winston Company, 1945), pp. 324–333; Samuel Eliot Morison, *The Two-Ocean War: A Short History of the United States Navy in the Second World War* (Boston: Little, Brown and Company, 1963), pp. 59–61.

[2] For background to the attack see United States Navy, *United States Naval Chronology, World War II* (Washington: Government Printing Office, 1955); Gilber Cant, *American's Navy in World War II* (New York: John Day Company, 1943), pp. 59–60, 67.



The construction of the *U.S.S. Oklahoma*

with hardly any advance warning, the *Oklahoma* capsized trapping most of the 400 men below with no way of escape—in all 395 enlisted men and 20 officers died in the holocaust on the vessel.[3]

The great warship had begun its long career twenty-nine years earlier when the New York Ship Building Company laid the first metal of its keel. At about this same time the sister ship of the *Oklahoma*, the *U.S.S. Nevada*, was also being constructed. Heralded as representing all the advanced technology of shipbuilding of the day, the two vessels were among the most advanced of the time. Five hundred tons larger than any of their immediate predecessors, the two battleships were 583 feet in overall length; had a beam of 95 feet 2⅝ inches; a mean draft of 28 feet 6 inches; and displaced 27,500 tons. Powered by reciprocating engines, with boilers fired exclusively with oil, the *Oklahoma* was one of America's first capitol ships not dependent upon coal. The estimated speed of the ship was 20½ knots, and by carrying 598,400 gallons of oil it had an action radius of 4,000 miles.[4]

Heavily armed, the *Oklahoma* carried ten 14-inch, 45-caliber guns capable of firing 1,400 pound shells, in 4 turrets. These were the most powerful weapons used on naval vessels at that time and with the additional smaller guns on board the ship, made it one of the most powerful warships afloat. However, the great strength of the vessel was its defensive power. An armor belt protecting the hull from attack was "17½ feet in width at mean draft," and extended from "9 feet above to 8 feet 6 inches below the water." Thicker than any other ship besides the *Nevada*, the *Oklahoma*'s armor belt was 13½ inches of hardened steel and ran for 400 feet along the side of the ship. Moreover, the protective plating was placed vertically on the sides thereby averting the usual horizontal seam along the water line—thus eliminating a vulnerable point. Other armor advantages such as different bulkhead and deck reinforcement arrangements made the ship stronger than average, even for a battleship.[5]

The *Oklahoma*, and its sister ship the *Nevada*, were to be distinct in appearance also, for they, as all new ships of the era, would have only one smokestack, made possible by the use of oil for fuel. With no room needed for coal bunkers, a large amount of space below decks was freed, and all six boiler compartments could be concentrated at the center of the ship allowing a single smokestack to be placed over the location.[6]

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[3] Homer N. Wallin, *Pearl Harbor: Why, How, Fleet Salvage and Final Appraisal* (Washington: Government Printing Office, 1968), pp. 134–135; *New York Times* (New York City, New York), March 25, 1942, p. 4.

[4] "Our Latest Battleships, the 'Nevada' and 'Oklahoma,'" *Scientific American*, Vol. 106 (March 9, 1912), p. 212.

[5] *Ibid.*

[6] *Ibid.*, pp. 212–213.

The *Oklahoma* underway during its preliminary trials off the northeast coast of the United States

The major powers of the world were aware of the construction of the *Oklahoma*, and the *London Telegraph* announced that these "ships, it will be seen, are in fact, what the Americans claim, the most remarkable of the period. They are to be heavily armed, and in armor protection they are unique. They will be able to give 'knock-out' blows, and receive the fire of an enemy with comparative impunity."[7]

Costing about $7,000,000, the *Oklahoma* was launched on March 23, 1914, and commissioned two years later. Both the christening and launching of this great naval vessel were well publicized events—for the first time in the history of the United States Navy a ship had been christened for peace and not for war. Before the actual ceremony Bishop E. E. Hoss of Muskogee, Oklahoma, offered a prayer "that Almighty God would hasten the coming of that golden age when all nations shall be bound together in a universal brotherhood and peace on earth, goodwill to men may find its fulfillment under the whole heaven." In addition, he pleaded that the ship "might never become a mere instrument of destruction nor an instrument of strife, but be always and everywhere, minister of peace and a guardian of the rights and interests of mankind, protecting the weak against the strong

[7] Edward J. Wheeler, ed., "The Two Most Remarkable Battleships of the Present Time," *Current Literature*, Vol. 53 (July, 1912), p. 66.

and illustrating in its whole history the magnimity [*sic*] of Christian civilization."[8]

Present at the launching was Lorena Cruce the nineteen-year-old daughter of Oklahoma's second governor, Lee Cruce. Recalling the event afterwards, Miss Cruce captured the excitement when she stated, "We went up on a big platform where all the people were, and the champagne bottle was in a mesh bag with red, white and blue ribbons on it. . . I took the bottle and in the name of the United States government christened it with one blow against the bow."[9] A contemporary newspaper article quoted her as saying that because Oklahoma was a prohibitionist state her "father was deluged with letters from ministers and Prohibitionists asking that mineral water be used;" however, she continued "sailors are superstitious about it, so it was champagne for the christening."[10]

In addition to Miss Cruce, many other dignitaries from Oklahoma as well as federal officials were present at the launching ceremony. These included Oklahoma's United States Senators Robert L. Owen and Thomas P. Gore; James A. Whitcomb, the representative of Governor Cruce; Clinton Bunn, a member of a special delegation from the state; Secretary of the Navy Josephus Daniels; and Assistant Secretary of the Navy Franklin D. Roosevelt. Later, caught up in the excitement of the ceremony, Daniels related that the launching was the "most inspiring sight of my life."[11]

His sentiments were echoed by Bunn, who declared that, "Words cannot adequately describe the beauty and solemnity and majesty of that scene." "It brought tears to the eyes of many" he continued, "as the great hulk slid noiselessly, yet rapidly, into the depths of the Delaware River to float upon the crest; the water arose gracefully in high banks on each side, and numerous large and small crafts of the river sent upward their salutes of praise and salutes of thanksgiving at the successful launch of this youngest child of the Navy." Bunn was extremely proud that the "largest and most powerful battleship in the American Navy had been successfully launched and bore the name *Oklahoma*."[12] After the ceremonies the citizens of Oklahoma, as a token of appreciation, donated a splendid set of sterling silver for the

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[8] *The Daily Oklahoman* (Oklahoma City), March 24, 1914, p. 8; *New York Times*, March 22, 1914, part II, p. 5.

[9] *The Daily Oklahoman*, September 2, 1970.

[10] *New York Times*, March 24, 1914, p. 8.

[11] Clinton O. Bunn, "The Launch of the Battleship U.S.S. Oklahoma," unpublished manuscript, Library, Oklahoma Historical Society, Oklahoma City, Oklahoma; *The Daily Oklahoman*, March 24, 1914, p. 1; Lyman Abbott, ed., "The Launching of the Nevada," *The Outlook*, Vol. 107 (July 25, 1914) pp. 687–688.

[12] Bunn, "The Launch of the Battleship U.S.S. Oklahoma," p. 2.

use of the ship, and the ship building company presented Miss Cruce a diamond studded bracelet[13]

On May 2, 1916, the new battleship steamed to the Navy shipyards where it was commissioned.[14] It later was modified somewhat during the 1920's and the total complement of officers and men was increased to nearly 1,400. Norfolk, Virginia, was the home port of the ship while its crew trained along the eastern seaboard. After its shakedown cruise, the *Oklahoma* joined the other members of the fleet in August, 1918, and was assigned the task of protecting Allied convoys in European waters during World War I—this was the only wartime operations of the ship throughout its twenty-nine year history. In December, 1918, after the Armistice the *Oklahoma* was part of a squadron which escorted President Woodrow Wilson to France for the Versailles Peace Conference, and again in June, 1919, the battleship accompanied the *George Washington* carrying Wilson back to the United States from his second visit to France during the peace negotiations.[15]

Between 1919 and 1921, the battleship was attached to the Atlantic Fleet and performed several training missions. Cruising twice to South America's west coast, the *Oklahoma* was finally assigned to the Pacific Fleet, where it performed various duties until being sent to Philadelphia, Pennsylvania, in September, 1927, for modernization. Afterward it was reassigned to the Caribbean area where it remained, with the exception of several brief cruises in the Pacific region until 1936, when it was dispatched to Spain, then engulfed in civil war, to rescue American citizens caught in the conflict. Late that same year the *Oklahoma* returned to the west coast of the United States, and for the next four years participated in joint Army-Navy training programs until assigned to Pearl Harbor on December 6, 1940. Here it was quietly moored at battleship row number seven on December 7, 1941, when the Japanese attack occurred.

As the *Oklahoma* was partially blocking the harbor when it capsized, the Navy immediately sought to raise it, in order to clear the area. Extremely difficult, the salvage job began in March, 1943, and was completed when the ship was floated by the end of December that year. The operation was perhaps the most difficult and spectacular of any salvage operation in World War II. For after the *Oklahoma* had capsized, much of its superstructure caught in the thick mud of the harbor bottom. To overcome this problem and refloat the ship the Navy built a scale model on which special

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[13] *New York Times*, March 24, 1914, p. 8.

[14] *New York Times*, May 3, 1916, p. 4; and May 24, 1916, p. 22; *The Daily Oklahoman*, May 3, 1916, p. 1.

[15] *New York Times*, December 14, 1918, pp. 1–2; December 15, 1918, p. 15; and June 30, 1919, p. 1.

Accompanying the *U.S.S. George Washington* and President Woodrow Wilson to France after the close of World War I

divers practiced before the actual salvage attempt. After sealing the torpedo holes in the hull, Navy undersea workers then forced in air in such quantities as to give the battleship some buoyancy.[16]

Throughout the effort decomposed organic matter from the provisions, clothes and bodies of the 400 victims trapped inside, generated such deadly fumes that workers had to use gas masks. However, once floated, the ship was attached to twenty-one electric motors by steel cables and pulled upright by a tedious process taking more than one hundred hours. Once extracted from the mud, the ship was finally towed to a dock to await disposition.[17]

Decommissioned on September 1, 1944, the *Oklahoma* was stripped of its guns and superstructure and sold in December, 1946, to Moore Drydock Company of Oakland, Califorinia, as scrap metal. However, the great ship avoided such an ignominious end when while being towed to California in May, 1947, parted its tow cable and went down in 3,000 feet of water about 540 miles east of Pearl Harbor.

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[16] Samuel Eliot Morison, *History of U.S. Naval Operations in World War II* (15 vols., Boston: Little, Brown and Company, 1950), Vol. III, pp. 142–144.

[17] *Ibid.*

THE CREEK NATION ON THE EVE OF THE CIVIL WAR

*By Andre Paul DuChateau**

At the beginning of the Civil War most of the Creek Nation had been living in present-day Oklahoma for over twenty years. Numbering 14,888 members in 1857, and 13,550 members in 1859, the Creeks thought of this area as their homeland, and as one Creek leader told his followers, "the mountains and hills, that you see, are your backbone, and the gullies and creeks, which are between the hills and mountains, are your heart veins."[1] Receiving their name from British agents who referred to them as the "Ochese Creek Indians" in 1720, the eastern part of the Creek Nation had lived near the Ocmulgee River in Georgia when trade with the Europeans began. It was also about this time that they started to call themselves the Maskoge or Muskoke.[2]

Occupying the greater part of present-day Alabama and Georgia during the eighteenth century, the Creeks, according to tribal legend, had originally lived in northwestern Mexico as an independent nation. However, after the Spanish conquered this region, they were forced to flee to the Red River area in order to escape slavery, and from there migrated eastward after a series of wars with the Alabamas.[3]

In historic times the Maskoges were divided into two tribal divisions—the Upper and Lower Creeks. The Upper Creeks, consisting of the Abihka and Coosa groups, lived in the area of the Tallapoosa and Coosa rivers while the Lower Creeks, the Kasihtas and Cowetas, occupied the region around the Chattahooche and Flint rivers. Thirteen other tribes, including the Tukabatchees and Yuchis, eventually joined the Creek Confederacy; nonetheless, each tribe kept its own customs, leaders and some their own

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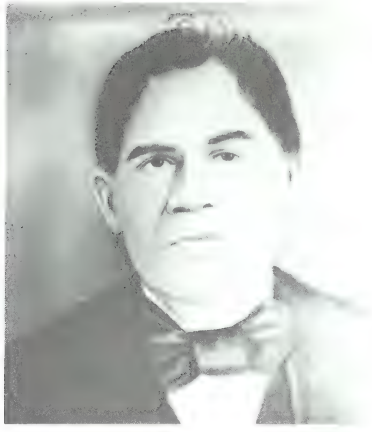
[1] Muriel H. Wright, *A Guide to the Indian Tribes of Oklahoma* (Norman: University of Oklahoma Press, 1951), pp. 129–130; Grant Foreman, *The Five Civilized Tribes* (Norman: University of Oklahoma Press, 1934), pp. 211, 216; Angie Debo, *The Road to Disappearance* (Norman: University of Oklahoma Press, 1941), p. 139; Garrett to Rector, August 31, 1857, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 35th Congress, 1st Session, (Washington: Government Printing Office, 1858), p. 512; Garrett to Rector, September 12, 1859, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 36th Congress, 1st Session, (Washington: Government Printing Office, 1860), p. 548.

[2] Wright, *A Guide to the Indian Tribes of Oklahoma*, p. 128.

[3] Eugene Vaughn Allen, "Development of Law and Legal Institutions Among the Creek Indians," unpublished Master of Arts thesis, Oklahoma State University, Stillwater, Oklahoma, 1939, p. 1.



Chilly McIntosh, who led a group of Creeks to present-day Oklahoma in 1828

language. The geographic location of these tribes determined whether they were allied with the Upper or Lower Creeks. The Tukabatchees eventually became one of the four foundation or "stick" tribes of the Creek Confederacy, and the leaders of the Upper Creeks. In 1832, the total population of the Creek Confederacy was 21,733 but in the period previous to 1800, it had been estimated at from 25,000 to 30,000 members.[4]

White settlers applied tremendous pressure on the Creeks to surrender their ancient homelands and move westward, and in January, 1826, Opothleyahola and eleven other Maskoge leaders signed a treaty in Washington, D.C., which ceded all Creek lands in Georgia to the United States. One group under the leadership of Chilly McIntosh, a Coweta chief, was allowed to settle west of the Verdigris and Grand rivers and north of the Arkansas River in present-day Oklahoma. This group of 733 men, women and children arrived in 1828, and became the nucleus of the Creek Nation, West. Other Creeks followed their example, and by the year 1830, there were 3,000 Creeks living in this region.[5]

On March 24, 1832, Opothleyahola, Benjamin Marshall and five other chiefs signed another treaty which ceded all the tribal lands east of the Mississippi River to the Federal government. Though individual Creeks were to be allowed to stay in Alabama if they desired, if they chose to emigrate to the West they were to be paid all the expenses of their removal and subsistance for one year. Fraudulent lands sales caused most Creeks to arrive in the West starving and in misery, while others were removed under armed guard because they were hostile to the treaty. By the spring of 1837, 15,045 Creeks had arrived in the vicinity of Fort Gibson, in the Cherokee Nation, but within a short time about 3,500 of them had died from exposure and fevers.[6]

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[4] Wright, *A Guide to the Indian Tribes of Oklahoma*, pp. 128–131; Allen, "Development of Law and Legal Institutions Among the Creek Indians," pp. 1–2.

[5] Wright, *A Guide to the Indian Tribes of Oklahoma*, pp. 129, 134–135.

[6] *Ibid.*, pp. 134–135; Mary E. Young, "The Creek Frauds, A Study in Conscience and Corruption," *Mississippi Valley Historical Review*, Vol. XLII, No. 4 (December, 1955), pp. 411–437.

The members of the Lower Creek towns who had already moved West established a tribal government and secured an agreement with the United States in 1833, which defined the nation's boundaries. Just beginning to prosper, they were greatly alarmed by the influx of starving people from the East, especially as most of these newcomers belonged to tribes that were hostile to the McIntosh group. About 1840, the two rival groups were theoretically united as one nation, but they had little contact with one another, except at meetings of the General Council, until after the Civil War.[7]

In 1833, the borders of the Creek Nation, West, were fixed so that the western boundary was the hundredth meridian, the southern border the main branch of the Canadian River and the northern boundary the Arkansas River near the mouth of the Cimarron River. The east boundary was drawn so that all of the Arkansas River valley above the Three Forks of the Arkansas, Grand and Verdigris rivers and most of the Verdigris River valley was in the Creek Nation, while the southern half of this eastern boundary was a line from the Three Forks region to the mouth of the North Fork of the Canadian River. In 1856, a treaty was signed which ceded to the Seminole Nation the land between the two branches of the Canadian River from approximately forty miles above the mouth of Little River to the ninety-eighth meridian, the new western limits of the Creek and Seminole nations.[8]

In Indian Territory, the Upper Creeks were located in the southern part of the Creek Nation and the Lower Creeks occupied the northern part of the nation. The Lower Towns were generally established on both banks of the Arkansas River as far as the Red Fork, a distance of eighty miles, and extended east to the Verdigris River, a distance of fifty miles. The Upper Towns were between the Canadian and North Fork rivers and along the Deep Fork of the Canadian River. They extended westward to Little River, a distance of eighty miles, and were about sixty miles in width. Thus, the Upper and Lower towns were separated by approximately forty miles of prairie.[9]

The General Council, West, met on a wooded hill about halfway across the prairie between the two towns. Called Wekiwa Hulwe or "High Spring," this first capital was west of the present village of Council Hill in Muskogee County.[10]

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[7] Wright, *A Guide to the Indian Tribes of Oklahoma*, p. 135; Foreman, *The Five Civilized Tribes*, pp. 184, 216.

[8] John Wesley Morris and Edwin C. McReynolds, *Historical Atlas of Oklahoma* (Norman: University of Oklahoma Press, 1965), p. 23; Debo, *The Road to Disappearance*, pp. 110, 130.

[9] *Ibid.*, pp. 110–111; Foreman, *The Five Civilized Tribes*, p. 186; Wright, *A Guide to the Indian Tribes of Oklahoma*, pp. 129, 136–137.

[10] *Ibid.*, p. 136; Debo, *The Road to Disappearance*, p. 124.

Tukabatchee Town was the only Creek settlement in Indian Territory which copied the earlier towns in Georgia and Alabama. Consisting of a square, with four enclosed buildings, in addition to a great chokofa or round house, sixty feet in diameter and thirty feet high, the settlement was located on the Canadian River near the present village of Melette, ten miles southwest of Eufaula.[11]

Twelve miles from Tukabatchee Town, at the fork of the Canadian and North Canadian rivers, was North Fork Town. It contained a trading post and, after 1850, Asbury Mission. The post office at Micco was opened in 1853, when the area was heavily settled due to the importance of the nearby Texas Road and the California Trail.[12] Entering the Creek Nation from the northeast, the Texas Road passed the vicinity of the Three Forks region before continuing to North Fork Town. In addition, the California Trail had one branch which ran for some distance along the Canadian River, just within the Creek Nation.[13]

The Creek Agency had three successive locations near the Three Forks area, and was the center of trade for the region. Steamboats carried on most of the commerce with other settlements, although some traffic did flow along the Texas Road. A post office was established at the agency in 1843, and by 1850, Tullahassee Mission was opened in this area.[14]

A trading post was established at Honey Springs, halfway between the Arkansas and Canadian rivers, and William F. McIntosh, the son of Chilly McIntosh, built a toll bridge across Elk Creek near this post. Because the Texas Road passed through this area, both the trading post and the toll bridge prospered.[15]

Edwards' Trading Post, located near the mouth of Little River, was eventually the site of Fort Holmes which was abandoned soon after it was built in 1834. The post originally constructed to protect the Creeks from the Plains Indians, also provided an excellent place to trade with the other tribes. A Creek agricultural community developed nearby to supply it with its needs, and Shawnees, Delawares, Kickapoos, Piankashaws and Quapaws all lived in this region of the Creek Nation. Another important trading post was located at Shieldsville, thirty miles up the Deep Fork of the Canadian River.[16]

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[11] *Ibid.*, pp. 122–123; Wright, *A Guide to the Indian Tribes of Oklahoma*, p. 136.

[12] *Ibid.*, p. 137; Debo, *The Road to Disappearance*, p. 113.

[13] *Ibid.*, pp. 112–113.

[14] *Ibid.*, pp. 113–120; Wright, *A Guide to the Indian Tribes of Oklahoma*, p. 137; United States Government, *Statutes At Large* (multi vols., Washington: Government Printing Office, 1848 to present), Vol. XI, p. 700.

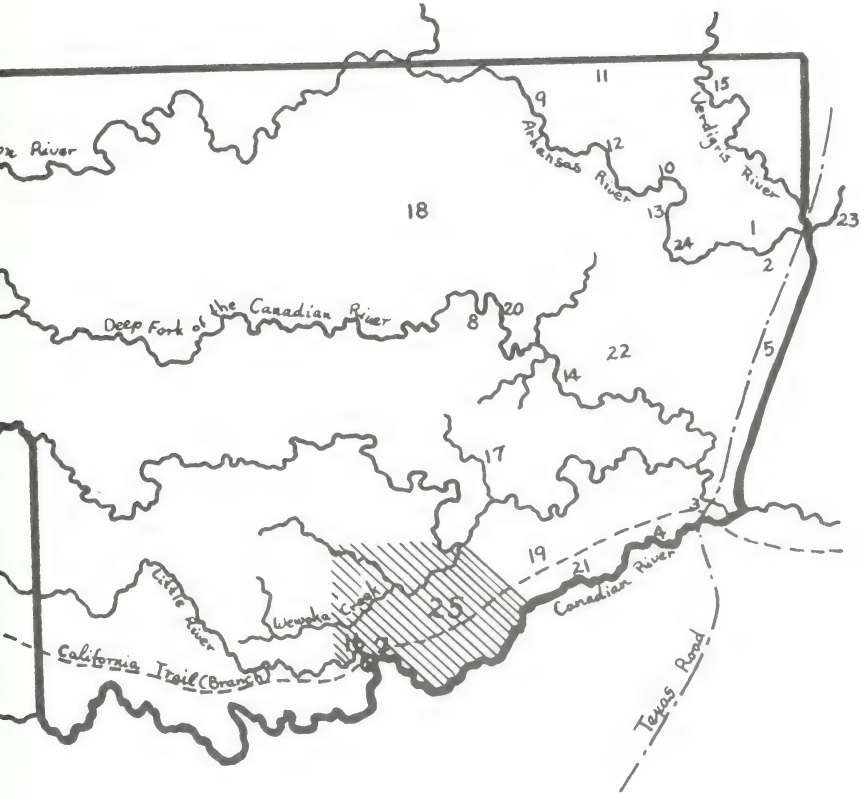
[15] Debo, *The Road to Disappearance*, p. 113.

[16] *Ibid.*, pp. 113–114, 128– 129; Garrett to Rector, October 15, 1860, United States Depart-

The Creek Nation, 1856

The Upper and Lower Creeks, officially known as the Arkansas and Canadian districts of the Creek Nation, West, each had a principal and a second chief. The principal chief with the most seniority was also the head chief of the nation. Each individual town had a principal chief plus at least one second chief, and the principal chiefs of the towns, in addition to the two principal chiefs of the nation formed the General Council, which met annually at High Spring. In 1855, the office of national treasurer was created and the number of chiefs was reduced to 500. W. H. Garrett, the Creek Agent, found the leaders to be honest and intelligent, but believed that there were still too many chiefs for business to be conducted efficiently and at low cost. When the leaders returned from the General Council each year they orally described the laws they had passed to other tribal members. There was also a uniform law code in manuscript form which was revised from

ment of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 36th Congress, 2nd Session (Washington: Government Printing Office, 1861), p. 348; Wright, *A Guide to the Indian Tribes of Oklahoma*, p. 137.



time to time and placed in the care of the two principal chiefs. In each town there was a group of four to forty-five men, according to the population, called "lawyers" who administered the laws passed by the General Council. The Upper Creeks were also governed by four councilors, one of whom was the principal chief, and two lighthorsemen who served as sheriffs to enforce tribal laws. The Upper and Lower Creeks were also governed by separate councils consisting of the chiefs and one or two lawyers from each town; however, both medicine men and warriors also had positions in each town and often their power extended beyond their official positions.[17]

About 1859, the Creeks adopted a written constitution which mentioned only five national officials—a principal and second chief from each of the two districts plus a speaker appointed by the principal chiefs. The chiefs

[17] *Ibid.*, pp. 135–136; Debo, *The Road to Disappearance*, pp. 123–126; Foreman, *The Five Civilized Tribes*, p. 210; Allen, "Development of Law and Legal Institutions Among the Creek Indians," pp. 32–39; Garrett to Dean, August 24, 1855, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 34th Congress, 1st and 2nd Sessions (Washington: Government Printing Office, 1856), p. 453.

who previously served for life were now elected by the General Council to four-year terms. Two mixed-bloods, Motey Canard and Jacob Derrisaw, were chosen as principal and second chiefs of the Lower Creeks, with Canard as head chief. While, Echo Harjo and Oktarharsars Harjo served as principal and second chiefs of the Upper Creeks—both of these men had previously served as second chief.

Tukabatchee Micco was appointed the principal "medicine maker" and given responsibility for the great chokofa and four ceremonial buildings at Tukabatchee Town. To emphasize his importance, he was paid $500 a year from the national treasury and his fields were cultivated by the citizens of Tukabatchee Town.[18]

By 1860, at the urging of Garrett, the Creeks had adopted a new constitution that entirely ignored the towns and worked through a system of courts. One principal and one second chief were to be elected and the nation divided into four districts administered by judges. These judges were to be appointed, as were the five supreme judges who would act for the nation as a whole. However, this great break with custom and tradition was never fully put into effect.[19]

Originally, the council from each district formed a court to try crimes, the punishment for which was then inflicted by the lighthorse or by council members especially detailed for that purpose. The General Council acted as an appeals court in these cases, and eventually a "judicating commity [sic]" of six men from each district "separate and distinct from the Kings and Warriors" was created to "be prompt in attention to every and all General Councils" and to decide difficult questions of law. In addition to trying felonies, the General Council heard civil appeals and decided on claims to be paid by the nation from its annuities. The lawyers in each town, meeting as a council, decided most civil cases and generally carried out their own decisions. Damages were appraised by disinterested persons appointed for this purpose, and the town lawyers enforced a great number of customs that were never formally adopted. The General Council gradually became

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[18] Wright, *A Guide to the Indian Tribes of Oklahoma*, p. 136; Debo, *The Road to Disappearance*, pp. 123–124; Foreman, *The Five Civilized Tribes*, p. 216; Garrett to Rector, September 12, 1859, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 36th Congress, 1st Session, pp. 546–547.

[19] Foreman, *The Five Civilized Tribes*, p. 218; Garrett to Dean, August 24, 1855, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 34th Congress, 1st and 2nd Sessions. p. 453; Garrett to Rector, September 14, 1858, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 35th Congress, 2nd Session (Washington: Government Printing Office, 1859), p. 495; Garrett to Rector, October 15, 1860, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 36th Congress, 2nd Session, p. 348.

bicameral in this period as a "Committee" composed of the lawyers from the towns plus one judge from each district formed a separate assembly which was slowly gaining power.[20]

Under Creek law, murder was punished by death after a trial by twelve disinterested men, but clan action probably made this hard to enforce. A slave who killed an Indian was to die; however, an Indian who killed a slave could escape death if he reimbursed the slave's owner the value of the slave. The law did not state what the punishment was for killing a free Negro, but the punishment was probably the same as for the murder of an Indian, if the free Negro was a member of the nation. If one slave killed another, he was to receive 100 lashes on the bare back and his owner had to pay one-half the value of the dead slave to that slave's owner. Ballgames between towns were very spirited and no one was to be punished for a death in such a game. A thief received 50 lashes the first time he stole a horse, mule, jack, jenney or cow; the second time this happened he received 100 lashes and the loss of an ear; and punishment for the third offense was death. Rape carried the same penalties.

These punishments, plus branding and dismemberment, were still part of the law codes of most Southern states at this time, and such penalties cannot be considered unusual. All freed Negroes in the nation, who were not citizens and who were more than twelve years old, had to pay an annual tax of $3.00, in addition to a tax on their livestock and wagons. It was unlawful for an Indian man to marry a Negro, and a $50.00 fine or 100 lashes was the penalty for harboring runaway slaves.

The Creeks allowed their livestock to run loose and fenced their fields to keep animals out. This practice, which was common in the southern United States, was not changed until after the Civil War. An Indian had to have a fence nine rails high around his field if he was to collect damages to his crops caused by the stock of another Indian, but if the stock broke through such a fence, damages would be awarded by two disinterested persons. Property was taken from a citizen who could not pay his debts to another citizen, but no provision was made for collection of debts by non-citizens.[21]

All traders in the nation were to be licensed, and white mechanics could reside in the nation only while carrying out written contracts with tribal members. Slaveholders were not responsible for the debts of their slaves and horse trades were invalid if either party could prove that he was drunk

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[20] Debo, *The Road to Disappearance*, pp. 127–128; Foreman, *The Five Civilized Tribes*, p. 214.

[21] *Ibid.*, pp. 213–214; Debo, *The Road to Disappearance*, pp. 125–127.

during the time of the trade—proof of drunkeness had to be established within five days of the transaction. All citizens were required to work on public works in their towns when called upon by their leaders, and any defendant had to receive twenty days notice in all actions before the General Council. Incest was punished by fifty lashes and towns who recruited players from other settlements to play in ballgames were to be fined $50.00 per ballgame in which such players participated. There also were laws against the sale and possession of liquor.[22]

The Creeks, troubled by their decrease in population, punished any woman who used medicine to cause infanticide by fifty lashes on the bare back. Originally, a woman had to remain a widow for from one to four years, depending on the will of the former husband's relatives, but a law was passed later which reduced this to a maximum of one year for women and two months for men. The continuing decline in population probably also affected the passage of this law. A treasurer was provided in the new constitution for each of the two districts and Benjamin Marshall, for the Arkansas District, and David Barnett, for the Canadian District, were the first to serve. However, they could only pay out funds that were appropriated by the General Council and upon the signed warrant of the principal chief and clerk of the district. Stray horses were to be delivered to the captain of the lighthorse, and if a Creek discovered any stray cattle he was to tell everyone he met for the next two years about such a find. If the cattle were not claimed during this period they were to be sold at the District Council and the proceeds were to be divided between the finder and the nation.[23]

The expense for schools was not to exceed $6,000 a year, and seven schools were set up in each district to provide a common education. Each district had a superintendent of schools who was required to appoint a board of trustees for each school in his region, erect comfortable schoolhouses, visit each school at least four times a year and submit an annual report to the General Council. He was also to determine the textbooks and hire teachers. Abolitionists were forbidden to teach.[24]

Women had complete independence in the ownership and control of property, and husbands and wives never inherited each others property—possessions went to the children. If there were no children the property was divided among the nearest blood relatives. The law provided specific pro-

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[22] Foreman, *The Five Civilized Tribes*, p. 214.

[23] *Ibid.*, pp. 214–215; Debo, *The Road to Disappearance*, pp. 125–127.

[24] *Ibid.*, pp. 125–126; Foreman, *The Five Civilized Tribes*, p. 215.

Creek women making sofke, one of the staples of the Creek diet

cedures for the making and providing of wills, which could be either oral or written.[25]

On May 8, 1859, the General Council, reacting to pressure from Garrett and other Southerners, passed a slave code designed to keep all slaves on their masters' premises and to deny them any free time. No Negro was allowed to engage in mercantile business; preach to an Indian congregation; be more than two miles from home without a written pass; and one person, who was not of Negro origin, had to be present at Negro church services. However, these laws were not greatly different from those in many Southern states at that time. By 1859, all free-born persons, except those of Negro origin, could become citizens of the Creek Nation, and children of a Creek woman by a Negro man could become citizens, if they were not more than one-half Negro. On March 1, 1861, a law was passed which gave free

[25] Debo, *The Road To Disappearance*, pp. 125–126.

Negroes in the nation ten days to choose a Creek master or be sold to the highest Creek bidder.[26]

The Seminoles were closely related to the Creeks, and the Western Seminoles were under the jurisdiction of the Creek Nation from 1833 to 1856. However, they were eventually granted self government because of the bitter feelings resulting from the Creeks aiding the United States against the Seminoles in the East and the growing Seminole demand for independence. On August 7, 1856, delegates from both tribes were called to Washington, to sign a treaty which governed all relations between the two tribes and the United States government until the Civil War.

This agreement gave the Seminoles the Creek lands between the North and South Canadian rivers from forty miles above the mouth of Little River to the ninety-eighth meridian. It was thought that this would cause the Eastern Seminoles to end their war with the United States and come to their new home in Indian Territory. Both the Creeks and Seminoles were guaranteed the right of self-government and full jurisdiction over all persons within their boundaries except white men who were not citizens. The two nations agreed upon mutual extradition, but individuals from either tribe could settle within the other's boundaries with all rights and privileges of citizenship, except participation in the allotment payments. In addition, the Creeks surrendered their claims to all land taken by Andrew Jackson from his Creek allies at the end of the Red Stick War. For this and the land given to the Seminoles, the Creek Nation received $1,000,000. Of this, $200,000 was to be invested in an educational endowment, and $400,000 distributed by the General Council. Three hundred thousand dollars of this amount had to be paid on a per capita basis, but the council was given the power to reserve $100,000 for other national objectives. Other monies were alloted for similar purposes: $10,000 for Creeks who had failed to receive reservations under the Treaty of 1832; $125,000 to Creeks who moved west before 1832, and thus lost the opportunity to secure reservations; and $70,000 for individual claims to be passed on by the General Council. However $200,000 was to remain with the United States government until the removal of the remaining Seminoles from Florida, as a guarantee that the Creeks would continue to help in the campaign. The Creeks were given the right to control their remaining annuities as soon as they should so request.

The Treaty of 1856 also gave the Creek Nation the right to employ its own teachers and mechanics. The United States promised to remove from the Creek Nation, using military force if necessary, all persons not members

[26] *Ibid.*, p. 127; Foreman, *The Five Civilized Tribes*, p. 215–216.

of the tribe except United States government employees and their families, persons traveling through the country, licensed traders and such other individuals as the Creek Nation should allow to reside within its boundaries. Licensed traders were to be taxed by the Creek government for use of land and timber, and the United States promised to protect the Creeks from domestic strife and invasion by other Indians or by white men. It also agreed to pay the tribe for all injuries suffered in such invasion. Amnesty was granted for all offenses committed up to this time, and the United States was permitted to establish military posts, roads and agencies within the nation. Right of way for railroads and telegraph lines was also granted.

Chilly McIntosh, Benjamin Marshall, George W. Stidham and Daniel N. McIntosh signed their names to this treaty while Tukabatchee Micco and Echo Harjo, the Upper Creek representatives, made their marks. However, there were some complaints about the Seminole situation, the claims against the United States government for Jackson's actions and the refusal of the United States government in carrying out its previous treaty obligations. The abandonment of Fort Gibson seemed to be especially bothersome to Garrett and to the Creeks.[27]

In his annual report to Commissioner of Indian Affairs John W. Denver in 1857, the Southern Superintendent of Indian Affairs, Elias Rector, stated some of the problems that still needed to be solved between the Creeks and the United States and suggested some solutions. He declared that it was almost impossible to make whites obey the liquor laws of both the Creeks and the United States government. He contended that smuggling and the possession of liquor by whites passing through the area could only be prevented by a strong force of soldiers or by Indian police under the direction of the Indian agents. Rector also recommended the moving of Fort Gibson to Frozen Rock on the south side of the Arkansas River. Nonetheless, the

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[27] Debo, *The Road to Disappearance*, pp. 130–131; United States, *Statutes At Large*, Vol. XI, pp. 699–707; Garrett to Dean, August 24, 1855, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 34th Congress, 1st and 2nd Sessions, pp. 454–457; Garrett to Manypenny, September 8, 1856, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 34th Congress, 3rd Session (Washington: Government Printing Office, 1857), pp. 695–697; Denver to Thompson, November 30, 1857, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 35th Congress, 1st Session, pp. 294–295; Rector to Denver, September 24, 1857; *ibid.*, pp. 480–483; Garrett to Rector, September 14, 1858, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 35th Congress, 2nd Session, pp. 495–496; Garrett to Rector, September 12, 1859, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 36th Congress, 1st Session, pp. 547–548; Rector to Greenwood, September 24, 1860 and Garrett to Rector, October 15, 1860, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 36th Congress, 2nd Session, pp. 340, 348.

War Department refused to move the post, and the liquor problem was unresolved—thus Rector's pleas went unheeded.

He also stated that provisions needed to be made for the distribution of the personal effects of white men dying in Indian Territory. Rector believed that Indian agents should be made law commissioners or that district courts should be established in Indian Territory to remove the hardships caused by federal courts being so far from the homes of the Indians. He also believed that poor Indians should be furnished with competent legal counsel when tried in federal courts. Rector recommended that the Creeks should be given a delegate to the United States House of Representatives to present their claims, in the same way as the Cherokees and Choctaws. He believed that the same laws should not apply to the civilized Creeks that applied to the Plains Indians, and that the Creeks had a right to know exactly which federal laws did apply to them. The Southern Superintendent thought that affairs between two Creek citizens should be regulated by the Creek Nation alone, and that all persons who voluntarily resided within the nation should be subject to Creek laws.

Rector objected to the practice of annuity payments being made in worthless trinkets, and urged that they be terminated with a cash payment that would allow the Indians to invest in property. Another alternative was to invest the annuity money in stocks and give the Creeks possession of such stocks. Rector stated that the Indian agents needed better buildings to protect the annuity and allotment money, conduct business and to command the respect of the Indians; and declared that the agent's building in the Arkansas District was unfit for the superintendent's use.

There was a problem of dual citizenship for many whites and mixed-bloods and it was impossible to decide which nation had jurisdiction in such cases. Rector believed that this could be solved, along with many other legal problems, if United States citizenship were granted to all members of the Five Civilized tribes—the Creeks, Cherokees, Choctaws, Chickasaws and Seminoles. There was another reason why Rector wanted the members of the Five Civilized Tribes to be made citizens of the United States—they could then be given individual land allotments and the remainder sold to whites.

President Millard Fillmore had given the Indians a patent in 1852, which allowed each tribe ownership of the land within its boundaries as long as it continued to exist as a nation, and thus the granting of United States citizenship would destroy the existence of these nations. In 1859, Commissioner of Indian Affairs A. B. Greenwood requested the Creeks to accept a survey of their land and its allotment in fee simple for individual occupancy. However, after the land frauds in the East, it was not surprising that the

General Council refused this request in no uncertain terms. It was also true that the chiefs on this council would have lost much of their power under individual land ownership.[28]

The Creeks became more and more concerned about the presence of whites in their country because they did not want a reoccurance of what happened in the East. After the Treaty of 1856 was signed, the Creeks passed a law that prohibited any new white men from becoming tribal members. The principal chief of each district was to furnish the Indian agent with the names of all intruders so they could be forcefully removed, and taxes of $100 a year for traders and $3.00 a day for peddlers were adopted. Federal officials gave their approval of these taxes, as they were required to do under the Treaty of 1856. Nonetheless, the inflow of white men continued, as cattle drovers and traders lingered in the Creek Nation. In the fall of 1860, the General Council sent Samuel Checote, Echo Harjo, Motey Canard and John G. Smith to Washington to discuss this situation. The Creeks wanted to know the exact status of whites in their country as defined by the Treaty of 1856 and the Federal Intercourse Law. However, the pressures which led to the Civil War prevented the settlement of this problem.[29]

Beginning in 1857, all Indian payments were made by the superintendents rather than by the agents. Receiving the money in New Orleans, Louisiana, the superintendents did not like to enter this city during the summer when health conditions were at their worst. This meant that some Indian tribes had to assemble in the middle of winter and risk pneumonia and other illnesses in order to receive their payments, while others had to wait long periods for their money because the superintendents could not be be everywhere at once. In addition the large amount of money involved also meant that more guards had to be hired. The Creeks received permanent annuity payments from treaties in 1790, 1892 and 1826 and payments for smith shops, wheelwrights and education from treaties in 1820, 1826 and 1833. These sources yielded $38,140 in 1855. Also $350,000 was provided for reimbursement for lost and abandoned property resulting from their removal from the East. According to the Treaty of 1838 this was to be paid to the Creek Nation, but it was eventually given to the individuals who actually had sustained the losses. Payments from the Creek Orphans' Fund were made every year, and in 1856, the tribe received $38,140 for permanent

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[28] Rector to Denver, September 24, 1857, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 35th Congress, 1st Session, pp. 479–493; Debo, *The Road to Disappearance*, pp. 138–140.

[29] *Ibid.*, pp. 140–141.

annuity payments, smith shops, wheelwrights and education plus $1,884 for those who had lost property in the War of 1812 or to their heirs.[30]

The payments by the United States to the Creeks were mainly for lands in the East, improvements on lands along the disputed Cherokee border before 1833, and for military and diplomatic services rendered by the Creeks. A large part of these payments was made in overvalued trinkets or goods and, in order to obtain cash, many Creeks sold the rights to their payments in advance at great discount. These payments—$20.10 per capita in 1857, and $16.65 in 1859—were not very large even without these discounts.[31]

When they first arrived in the West, the Creeks fought many battles with the Plains tribes in the area. The Osages crossed Creek territory to get to the buffalo grazing area and the Osages, Kiowas, Comanches and Pawnees all used this region as their battleground and horse-stealing range. However, a peace treaty between the Comanches, Wichitas, Osages, Senecas, Cherokees, Choctaws, Creeks and the United States was eventually signed in 1835, at Camp Holmes, up the Canadian River from Fort Holmes and just outside the Creek Nation. The small bands of Shawnee, Delaware, Quapaw, Kickapoo and Piankashaw Indians who lived near Little River in Creek territory were friendly with the Creeks, and were considered to be the guards of the western boundary, even though they were not subject to the General Council. In addition, the Seminoles also helped protect the Creeks from the Plains Indians. After 1853, the Comanches were on close terms with the Creeks, and Tukabatchee Micco informed Garrett many Plains Indians wanted to copy the agricultural ways of the more civilized tribes, because the buffalo were rapidly disappearing. The Creeks also became leaders in the councils of the Five Civilized Tribes. An intertribal law code was composed in 1843, at Tahlequah in the Cherokee Nation and was clarified and strengthened in 1859, at Asbury Mission at North Fork Town. Though never formally adopted, this code was used as a basis for all later intercourse between the Creeks and the other four nations.[32]

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[30] *Ibid.*, p. 131; Garrett to Dean, August 24, 1855, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 34th Congress, 1st and 2nd Sessions, pp. 453–454; Denver to Thompson, November 30, 1857, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 35th Congress, 1st Session, pp. 289–296.

[31] Denver to Thompson, November 30, 1857 and Rector to Denver, September 24, 1857; *ibid.*, pp. 295, 490–491; Debo, *The Road To Disappearance*, pp. 109–110, 114–115, 131; Angie Debo, *Tulsa: From Creek Town to Oil Capital* (Norman: University of Oklahoma Press, 1943), p. 23; Wright, *A Guide to the Indian Tribes of Oklahoma*, pp. 132–135.

[32] *Ibid.*, p. 138; Debo, *The Road to Disappearance*, pp. 133–138; Foreman, *The Five Civilized Tribes*, p. 187; Garrett to Dean, August 24, 1855, United States Department of the

Creek social and political organization was based on the clan—a number of clans formed a phratry and a number of phratries formed a town. Descent was traced through the mother, and all members of a family were recognized by the mother's name. Marriage into the mother's clan was forbidden, even if the man and woman lived in different towns. Marriage with blood relatives of the father was also forbidden, and all clan members were sworn to aid and defend other members. The rights and privileges of each clan included: use of the clan name; representation at tribal councils, usually by having the clan chiefs and subchiefs installed as part of such councils; use of common tribal property; protection by the tribe; the ability to give personal names to members; the ability to adopt aliens; use of a common burial ground; and the ability to share in the religious ceremonies of the tribe. However, by the eve of the Civil War, Christianity was replacing the tribal religion in many towns.[33]

The busk or green corn dance was the most important ceremony in the Creek Nation, and those who did not participate were fined from $2.00 to $3.50. A thanksgiving and a rejoicing for the first fruits of the harvest, the busk was a time for forgiveness, absolution and amnesty, and during the ceremony the Creeks provided themselves with new clothes, pots, pans, furniture and other household items, while the old possessions were put in a common heap with last year's remaining grain and burned. In addition, the entire town was swept and washed clean and all trash was put on this fire. The Creeks then fasted after having taken an emetic medicine made by boiling ilex-cassine in water. All fires were extinguished during this event, the gratification of any appetite or passion was strictly forbidden and any criminal who returned to his own town and participated in this ceremony was automatically forgiven. A new fire was kindled by rubbing two sticks together and each family received part of this fire as protection from disease and bad influences. Water was drawn from the spring, and everyone drank after the medicine man had blown a blessing into it through a reed. Days of dancing and feasting followed the cleansing and, as the dances were believed to have come from the Great Spirit, they had to be precisely executed.[34]

Interior, *Annual Reports of the Commissioner of Indian Affairs*, 34th Congress, 1st and 2nd Sessions, p. 455; Garrett to Rector, October 15, 1860, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 36th Congress, 2nd Session, p. 348.

[33] Allen, "Development of Law and Legal Institutions Among the Creek Indians," pp. 2–3.

[34] *Ibid.*, pp. 2–3; Foreman, *The Five Civilized Tribes*, pp. 185, 202–203.

Other ceremonies were practiced from time to time. During the frequent droughts the Creeks conjured for rain by tossing lacerated frogs into the air, fasting for several days while taking regular dips into water, boiling various vegetables and dipping the tail of a buffalo into water and sprinkling it toward the sky. Sometimes prairie fires were started, although this was dangerous.[35]

Courtship was begun by proxy. The man sent his "talk" to propose to the woman, and if she accepted, the consent of her uncles, aunts and brothers was then obtained by the "talk." When this was accomplished, the woman would join the man and they would live together during pleasure or convenience. However, some clans used more binding ceremonies and adultery, which was defined differently by the various clans, was punished by the offended party's relatives. Usually the culprit was whipped and their hair and ears were cut close to the head. Separation was accomplished by common consent, but neither individual could marry again until they had been cleansed at the next busk. Old wives could be discarded and new ones taken. In addition, a man was allowed more than one wife. On the eve of the Civil War the Creeks were declining in population and the great increase in Christian marriages may have been a factor in this decline. Under the old system a large percentage of the old and middle-aged men had many wives and children who were scattered around the nation. Few wives had more than two children by the same father—this was the reason that descent was traced through the female line.[36]

The wealthy mixed-blood women dressed in silk and muslin according to the current fashions of the time, while mixed-blood men normally wore conventional coats and trousers with gaily ruffled hunting shirts. The full-blood men, especially in the Upper Towns, did not wear trousers, but instead leggings of brightly colored cloth or dressed deerskin, above which was worn brilliantly colored hunting shirts adorned with bright fringes, belts and beaded girdles. The shirts and leggings might be from cloth purchased from a trader but this was not likely. On most small farms a little cotton was grown and the women removed the seeds by hand and then spun and wove it into cloth. Full-blood men normally wore moccasins and bound their heads with brightly-colored handkerchiefs, while the mixed-bloods usually wore shoes and hats.[37]

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[35] *Ibid.*, pp. 205–206.

[36] Allen, "Development of Law and Legal Institutions Among the Creek Indians," pp. 3–5.

[37] Debo, *The Road to Disappearance*, p. 114; Foreman, *The Five Civilized Tribes*, p. 186.

Opothleyahola, who was reported to be the richest man in the Creek Nation on the eve of the Civil War

As all land was owned by the entire nation, the Creeks originally lived close together and cultivated common fields. Eventually however this practice disappeared from the Lower Towns where each family cultivated a separate plot, but in the Upper Towns both individual fields and town plots were farmed. The towns forced everyone to work and made certain that all town members were fed. Families tended to live on their individual fields; however, they would travel as far as twenty or thirty miles to take part in town activities. Due to the various land systems, there was a great difference in wealth between the Upper Towns and the Lower Towns. The Lower Towns had most of the wealthy mixed-bloods, but they also had more extreme poverty, drunkenness and general demoralization. The relaxation of town control hurt the less acquisitive and ambitious Indians. The Upper Towns were much more thrifty and prosperous and continued to enforce many old Creek customs. Although most of the wealthy Creeks lived in the Lower Towns, the richest man in the nation was said to be Opothleyahola who lived in the Upper Towns.[38]

The Lower Towns lost their power over the individual because they were imitating the whites, and because the agents and superintendents actively worked toward this end. They destroyed the power of the chiefs and the old morality without being able to immediately replace them. In fact, the Lower Towns were more affected with these changes because the whites had more influence than in the Upper Towns, which were more isolated.[39]

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[38] *Ibid.*, pp. 186–187; Wright, *A Guide to the Indian Tribes of Oklahoma*, p. 136; Debo, *Tulsa: From Creek Town to Oil Capital*, p. 25; John Bartlett Meserve, "Chief Opothleyahola," *The Chronicles of Oklahoma*, Vol. IX, No. 4 (December, 1931), p. 452; Debo, *The Road to Disappearance*, pp. 110–111.

[39] *Ibid.*, p. 123; Debo, *Tulsa: From Creek Town to Oil Capital*, p. 23; Denver to Thompson, November 30, 1857, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 35th Congress, 1st Session, pp. 295–296; Foreman, *The Five Civilized Tribes*, p. 185.

A typical Creek home

The plantation owners lived in large, comfortable homes, usualiy double log houses with spreading verandas. The furnishings were the same as could be found in other homes at this time. However, most Creeks lived in one-room log cabins with dirt or puncheon floors, and covered by a roof made of thin oak boards held in place by heavy poles. The table and chairs were made of split logs, shelves and beds were placed on pegs driven into the wall and the doors had wooden hinges and latches. The cabin might be unchinked or it might be chinked with mud, with a fireplace of stone or sticks and mud, and a chimney of sticks and mud. However, when possible, cooking was done over an open fire out of doors. Aside from utensils bought from traders, there could usually be found a mortar made by hollowing the end of a small log, a wooden pestle, woven baskets for winnowing grain and wooden bowls and spoons. When the weather allowed, the Creeks put their beds in the open passageways of double cabins or on platforms in the yard—a necessity in a time when livestock ran loose.[40]

In 1856, Garrett declared that the Creeks "have entirely abandoned the pursuits of the chase, and maintain themselves almost entirely by the culti-

[40] *Ibid.*, pp. 200–201; Debo, *The Road to Disappearance*, p. 110.

vation of the soil and the rearing of stock, of which they have always a large quantity." He reported that the country was well adapted to the cultivation of corn, oats, potatoes, wheat and tobacco. Both Irish and sweet potatoes were grown along with cotton, rice, rye, peas, turnips, melons, pumpkins, apples, peaches, pears, plums, pecans, hickory nuts and walnuts; but corn was the main crop. Nonetheless, the great drought between 1854 and 1857, was so severe that the Indans would have starved if their allotment money had not arrived, as their crops were destroyed by worms and grasshoppers. Noted for their cattle and ponies, the Creeks entertained many buyers from the neighboring states who vied to purchase their stock. White blacksmiths, wheelwrights and wagon-makers, which had originally been employed in the nation, were also being phased out by 1856, as the Creeks were learning and practicing the necessary mechanical skills.[41]

Traffic along the river allowed the Creeks to import many luxuries from the East. For example on April 19, 1859, John Henry, Williams and Company shipped six kegs of Dupont Powder, thirty-six bedsteads and five bundles of mattresses from Van Buren, Arkansas, aboard the steamboat *Violette*, to George W. Stidham at the Creek Agency. On January 24, 1860, the steamboat *Muscogee* carried one box of wool card, one box of cotton cards, one case of books, one case of shoes, two boxes of tobacco and other goods from the same Van Buren company. The steamboat also brought five cases of boots and shoes, and three boxes of merchandise to another purchaser on this trip. A third purchaser was sent a barrel of sugar, a bag of coffee, twelve cane-bottom rocking chairs, two "high top" rocking chairs, one sewing rocking chair and one plain-bottom rocking chair. Six bags of coffee, two boxes of smoking tobacco, nine tar buckets, a keg of soda and

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41 *Ibid.*, pp. 110, 112; Foreman, *The Five Civilized Tribes*, pp. 199–200; Norman Arthur Graebner, "Pioneer Indian Agriculture in Oklahoma," *The Chronicles of Oklahoma*, Vol. XXIII, No. 3 (Fall, 1945), pp. 232–248; Althea Bass, *The Story of Tullahassee* (Oklahoma City: Semco Color Press, Inc., 1960), pp. 78–79; Joseph B. Thoburn and Muriel H. Wright, *Oklahoma: A History of the State and Its People* (4 vols., New York; Lewis Historical Publishing Company, Inc., 1929), Vol. I, p. 243; Garrett to Dean, August 24, 1855, United States Department of the Interior, *Annual Report of the Commissioner of Indian Affairs*, 34th Congress, 1st and 2nd Sessions, pp. 453–454; Garrett to Manypenny, September 8, 1856, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 34th Congress, 3rd Session, pp. 696–697; Garrett to Rector, September 21, 1857, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 35th Congress, 1st Session, pp. 512–513; Garrett to Rector, September 14, 1858, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 35th Congress, 2nd Session, p. 495; Garrett to Rector, September 12, 1859, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 36th Congress, 1st Session, p. 546; Garrett to Rector, October 15, 1860, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 36th Congress, 2nd Session, p. 348.

Benjamin Perryman and Roley McIntosh—two wealthy Creek slaveholders

other merchandise were sent to Stidham from Van Buren in May, 1860.[42]

In 1860, 267 Creek Indians owned 1,651 slaves. Two Creeks each owned more than seventy-five slaves and one of these probably was Benjamin Marshall, who normally owned more than one hundred slaves. Bringing only nineteen slaves with him from the East, he had acquired the rest in Indian Territory. Opothleyahola, Benjamin Perryman and several members of the McIntosh family, including Roley, Jane and Daniel, also were slaveholders. However, the slaves were generally concentrated among the richer families—ten Creeks owned a total of 433 slaves.[43]

The Creeks had brought slavery with them from the South, and the gang system of labor was used on large plantations; however, most slaves were worked using the task system, and when finished with their jobs were expected to work their own farms to feed their families. In the earlier period many slaves accumulated enough property to buy their own freedom and that of their families. The Creeks believed that Negroes understood the whites better than Indians, and Negroes often served as interpreters and stock judges in dealings with white traders, and often the owners would reward Negroes with stock or money which could be saved to buy

[42] Carolyn Thomas Foreman, "Marshalltown, Creek Nation," *The Chronicles of Oklahoma*, Vol. XXXII, No. 1 (Spring, 1954), pp. 52–55.

[43] United States Department of the Interior, Census Office, *Eighth Census of the United States, 1860* (Washington: Government Printing Office, 1864), Book I, p. xv.; Thoburn and Wright, *Oklahoma: A History of the State and the People*, Vol. I, p. 298; Meserve, "Chief Opothleyahola," *The Chronicles of Oklahoma*, Vol. IX, p. 446; Debo, *The Road to Disappearance*, p. 110.

freedom. However, in the late 1850s slaves were not allowed to possess either horses, cattle or guns. Nevertheless, free Negroes were fairly numerous in the Creek Nation, especially in the Upper Towns along the Canadian River where they had their own settlements. These free Negroes enjoyed quite a high status within the nation and intermarriage with the Creeks seems to have been fairly common, even though there were laws against this in the 1850s. All Negroes became slaves after March 10, 1861, as a result of the law passed by the General Council, but the Civil War prevented this from being entirely implemented. The progressively harsher laws against the Negro appear to have been the work of the wealthy mixed-bloods who were heavily influenced by white traders, superintendents and agents, all of whom were from the South.[44]

Before 1848, a Creek could be severely whipped if he had anything to do with Christianity, but official opposition from the General Council ended in that year when a Baptist missionary was invited to address the group. Chilly McIntosh and several other chiefs joined the Baptists or Weaksumkulke—"water divers"—and by 1848, the church was reported to have had 1 white, 4 Indian and 3 Negro preachers plus 550 members. The Methodists reported 524 Indians, 39 Negroes and 29 whites, for a total membership of 592 persons. The Presbyterians or Weohfeska—"water sprinklers"—had fewer members and concentrated on the education of the Creeks. By 1853, most Methodist and Baptist churches were served by native pastors such as James Perryman at Big Spring and Yartochee at Broken Arrow. By this time, Chilly and William F. McIntosh were Baptist preachers; Samuel Checote was preaching for the Methodists; and two mixed-bloods, David Winslett and Joseph M. Perryman, were Presbyterian ministers.[45]

One center of Christian missionary activity was the work among the Lochapokas at Tulsey Town—also known as Locker Poker or "Place of the Terrapins,"—east of the present city of Tulsa. The Reverend J. Ross Ramsey, a Presbyterian minister from Tullahassee Mission, preached twice in Tulsey Town in 1856; however, his Sunday evening congregation was very small because of a dance at the town square where the Lochapokas were conducting a ceremony called "christening the eagle." Many missionaries were not successful in eliminating the old Creek ceremonies and

[44] *Ibid.*, p. 115; Foreman, *The Five Civilized Tribes*, pp. 207–208; Thoburn and Wright, *Oklahoma: A History of the State and Its People*, Vol. I, p. 298; Annie Abel, *The American Indian as Slaveholder and Secessionist* (Cleveland: Clarke and Company, 1915), pp. 20, 23, 59–61.

[45] Debo, *The Road to Disappearance*, pp. 120–121; Loughridge to Garrett, October 8, 1860, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 36th Congress, 2nd Session, p. 350; Debo, *Tulsa: From Creek Town to Oil Capital*, pp. 20–23.

superstitions, and while the Lochapokas were making the transition to individual farming and the raising of ponies and cattle, in most other ways they remained true to the old traditions. In 1860, Rector stated that the Creeks "adhere to their old system of government, by national and town chiefs, and their laws are respected and obeyed by the people." He continued that "I imagine that no great advance is to be looked for them . . . most of the Yuchis and Upper Creeks speak no English, and have intermixed very little with the whites." As the Lochapokas were a Lower Creek Town and neighbors of the Yuchis, it was evident that the Upper Creek Towns were not the only conservative settlements at this time.[46]

However, some success was encountered by the missionaries. In 1853, the Reverend H. F. Buckner, a Baptist preacher, reported that he had a good meeting at Tukabatchee Town in May, and that in July, at North Fork Town there were sixteen tents pitched by families who had traveled a considerable distance to attend the meeting. When he preached the funeral of Lizzie McIntosh, daughter of Roley McIntosh, at the Muskogee church on the Arkansas River, the service lasted three days and $500 was spent by the bereaved father to feed and entertain the 800 to 1,000 people who were continuously in attendance. Thus by 1858, Garrett stated that the "subject of religion is one that is exciting a lively interest among the Creeks," and that there "is scarcely a settlement in the nation in which there is not a church under the visitation of white missionary preachers of various denominations, and under the direct ministry of native preachers." He declared that, "the Baptists appear to be the most numerous and successful, numbering among their converts some of the leading and most influential men of the nation"; however, he also stated that the "Methodists have also made numerous converts."[47]

The Presbyterians, under the direction of Reverend Robert M. Loughridge, founded Koweta Mission at Coweta Town in 1842, and it was later enlarged into the Koweta Manual Labor School for boys and girls. Loughridge was also the founder and superintendent of Tullahassee Mission, which was in operation near the Three Forks area by 1850. Later Reverend William S. Robertson and his wife, Ann Eliza, did much to keep this mission going, and in 1856, *Nakcokv es Keretv Enhvtecesky—Creek First Reader*—was completed by the Robertsons and David Winslett. Loughridge

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[46] *Ibid.*, pp. 20–23; Rector to Denver, September 24, 1860, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 36th Congress, 2nd Session, p. 340.

[47] Garrett to Rector, September 14, 1858, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 35th Congress, 2nd Session, pp. 497–498; Foreman, *The Five Civilized Tribes*, p. 208.

Joseph M. Perryman and Samuel Checote—two Creek leaders who abandoned their old traditions and became ministers

realized that boarding schools were necessary for learning efficiency simply because the students had to be isolated from their old influences. This does not mean that these missionaries were trying to "Americanize" the Creeks, but they were trying to develop them so they could compete successfully with the whites. Opothleyahola who could speak only Creek and could not write, accurately described the missionaries efforts when he stated that the white man's culture was like a great river, the Creek Nation like an island and education like grass. He believed that without the grass the river would destroy the island, but with this grass it could exist indefinitely.

In 1855, the school term at Tullahassee was nine and one-half months and the two principal chiefs of the nation attended the examinations. One hundred and three students attended school, but the average was well below eighty pupils a day. Useful skills were taught for two or three hours each day both on a farm and in a grist and saw mill operated by the institution. By 1858, 102 students attended the 9 month session—96 Creeks, 4 Cherokees and 2 whites. The girls learned knitting, sewing, cooking, washing, ironing and milking; while the boys worked in the garden or workshop. The academic courses were spelling, reading, writing, mental and practical arithmetic, algebra, geography, English grammar, natural philosophy, "Watts on the Mind," history, composition and declamation.[48]

[48] *Ibid.*, pp. 206–207; Wright, *A Guide to the Indian Tribes of Oklahoma*, p. 137; Debo, *The Road to Disappearance*, pp. 120–121; Bass, *The Story of Tullahassee*, pp. 46, 51, 53, 56, 58–59, 60–61, 66–67, 77–80, 93–94, 98–134; Meserve, "Chief Opothleyahola," *The Chronicles of Oklahoma*, Vol. IX, pp. 444–445; Loughridge to Garrett, August 27, 1855, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 34th Congress, 1st and 2nd Sessions, pp. 466–467.

By 1850, the Methodists had Asbury Mission and Asbury Manual Labor School in operation near North Fork Town. In 1855, Superintendent Thomas B. Ruble reported that thirty-eight students studied arithmetic, eleven geography and eleven English grammar. More than thirty students were learning to write and there were only nine who could not read. In addition, a new two-story frame building, thirty-five feet long, twenty feet wide and containing five rooms, had been added to the main building. Nonetheless, the superintendent still complained about the irregular attendance. The courses taught were spelling, reading, writing, mental and written arithmetic, English grammar, geography, declamation and composition. Vocal and instrumental music, accompanied by the melodeon, were also being taught. In 1859, it was reported that attendance was good, but the full-bloods were having a hard time learning English. At first the Asbury school accepted older students but they proved to be too unruly and, with a few exceptions, only young children were enrolled in later years.[49]

The Treaty of 1856 gave the Creeks large annuities and complete control over their educational funds, and fourteen national schools were set up with this money. In 1858, the school superintendent for the Arkansas District, G. Herrod, reported that 172 pupils attended his 7 schools which offered the same courses as the mission boarding schools. Attendance appears to have been much more regular at these national schools. James M. C. Smith, school superintendent for the Canadian District, reported that there were schools at North Fork Town, Tuskega Town, Hillabee Town, Thlob Thlocco Town, Tukabatchee Town on Wewoka Creek, Tallissee Town on the Little River and Hillubee Town on the North Fork of the Canadian River. There were 231 pupils, although many only attended for a few days—of the thirty-three girls and eighty-eight boys, only about fifty had been in regular attendance. The courses were the same as those of the other schools, even though many of the students were entirely ignorant of the English language. This educational system actually widened the gap between the mixed and full-bloods at this time, but if the conservative elements had accepted and participated in this system the gap would have been narrowed.[50]

[49] Ruble to Garrett, August 14, 1855, *ibid.*, pp. 464–465; Arella Maxine Holcomb, "A Study and Analysis of Educational Methods and Equipment Used in Asbury Manual Labor School, 1821–1937," unpublished Master of Arts thesis, Oklahoma State University, Stillwater, Oklahoma, 1937, pp. 3–4, 25, 29, 31. 33, 36–37; Debo, *The Road to Disappearance*, p. 120; Wright, *A Guide to the Indian Tribes of Oklahoma*, p. 137; Ruble to Garrett, September 24, 1858, United States Department of the Interior, *Annual Reports of the Commissioner of Indian Affairs*, 35th Congress, 2nd Session, pp. 499–500.

[50] Herrod to Garrett, September 8, 1858 and Smith to Garrett, September 24, 1858, *ibid.*, pp. 499, 501; Debo, *The Road to Disappearance*, pp. 120–121.

The Creek culture was in a state of change on the eve of the Civil War. The process of acculturation was proceeding at different rates in different parts of the nation. Many of the mixed-bloods had adopted the language, religion, education, dress and economic system of the whites, and lived much as many white settlers did in the frontier areas of the southern United States. However, most of the full-bloods were entirely untouched by the white man's culture, except for some partial changes in their economic system. Neither group had a culture which could provide all the needs of the nation and still continue to exist as a separate entity from the culture of the white man. The inability of Creek culture to provide for these needs was illustrated by the continued decrease in the tribe's population at this time. Because of this inability to meet basic needs, and as a result of increasing contact with whites, it was only a matter of time before Creek culture ceased to exist as a separate entity.

The Creek Nation had always been a loose confederation of tribes with different customs and opinions. Their traditional tolerance and ability to work with alien tribes were factors which kept them united. This was never more true than in the period just previous to the Civil War. In 1861, mixed-bloods, who identified themselves with the culture of the Southern whites, joined the Confederacy, taking with them their full-blood followers who had no such identification. Almost all the whites who had been in contact with the Creeks had been Southerners and their influence and the influence of the mixed-bloods was strong enough that only a few hundred members of the Lower Towns remained loyal to the United States government. The fact that there were troops from Texas in this area in 1861, and that no Federal troops had been in the area for several years also prompted the alliance with the South. Nevertheless the full-blooded leaders of the Upper Towns, including Opothleyahola, believed that the Civil War was a white man's conflict, and as they did not identify themselves with whites, they saw no reason to fight and wished to remain neutral. When this became impossible, all but a few hundred members of the Upper Towns chose to remain loyal to the United States and to honor the Treaty of 1856. When Opothleyahola and his followers began an organized march north, to friendly Cherokee country and ultimately to Kansas, the mixed-bloods and the Confederate forces in the area interpreted this move as a hostile action. This brought on the final tragedy—civil war within the Creek Nation. The mounting pressures had, at least for a time, broken the bonds of unity.[51]

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[51] *Ibid.*, pp. 142–150; Thoburn and Wright, *Oklahoma: A History of a State and Its People*, Vol. I, pp. 298, 315–321.

OKLAHOMA'S "BONE-DRY LAW" AND THE ROMAN CATHOLIC CHURCH

*By Thomas Elton Brown**

Amid the noise of coughing legislators and shifting papers, the clerk of the Oklahoma House of Representatives called the roll on February 15, 1917. By an overwhelming vote of eighty-nine to seven, the House of Representatives approved Senate Bill Number Fifty-five which made it "unlawful for any person in this state to possess any liquors received directly or indirectly any liquors from a common or other carrier." The legislation, however, specifically exempted pure grain alcohol consigned to scientific institutions, universities, colleges, bonded apothecaries, hospitals and pharmacies. Known as Oklahoma's "Bone-Dry Law," it thus exempted liquor for medicinal purposes while omitting another traditional exception in prohibition statutes—sacramental alcohol.[1]

This failure to exclude altar wine from the "Bone-Dry Law" posed a serious threat to the Roman Catholic Church in Oklahoma, which had used wine in its liturgy for centuries. Though the law was tantamount to outlawing the Catholic Mass, neither the law itself nor the resulting controversey was motivated by the then current anti-Catholicism. Furthermore, the ensuing struggle between freedom of religion and the enforcement of prohibition had ramifications beyond the state.

The motivition for this legislation began in 1907, when Oklahoma entered the Union with a constitutional prohibition against the manufacture and sale of alcohol. What the nation would experience during the 1920s, Oklahoma grappled with during the first decade of its statehood—enforcement of prohibition. One difficulty was the legality of purchasing liquor from outside Oklahoma and shipping it into the state. To end this avenue of liquor into Oklahoma and other dry states, the United States Congress, in 1913, approved the Webb-Kenyon Act, which forbid the interstate shipments of alcohol in violation of state laws. When the United States Supreme Court upheld the resolution on January 8, 1917, the members of the legislature of Oklahoma were ready to move. By passing Senate Bill Number Fifty-five, the legislators hoped to cure two ills afflicting statewide

* The author is completing the Doctor of Philosophy Degree at Oklahoma State University, Stillwater, Oklahoma, and this article is a revised paper delivered at the Fifty-Second Anniversary of the International Convention of Phi Alpha Theta Honor Society in History held in San Francisco, California, December 27–30, 1973.

[1] State of Oklahoma, *Session Laws of Oklahoma of 1917* (Guthrie: Co-Operative Publishing Company, 1917), p. 350.

enforcement of prohibition: to close the loophole permitting the transportation of intoxicants into the state, and to make the state "bone-dry" by prohibiting the possession of liquor.[2]

During the legislative consideration of the statute, two arguments dominated the debate. The first was whether the medicinal exemption should apply only to institutions or both to institutions and individuals. The legislature decided to adopt the stronger regulation, which allowed for only institutions to be exempt.[3] The second and more significant controversy arose over a proposal by Governor Robert L. Williams, a personal wet but a political moderate, who urged the law allow an individual to bring into the state one quart of liquor every thirty days. By a vote of seventy to thirty-four, the Oklahoma House of Representatives defeated this modification on February 7, 1917.[4] In deciding both controversies, the members of the legislature chose the more strict alternative and indicated that their main concern was the rigorous enforcement of prohibition, to remedy the social and moral evils associated with alcohol.

While neither of the major disputes involved the use of sacramental wine, the issue of religious use of liquor apparently entered into the legislative discussion very briefly—an amendment, by a Protestant senator to exempt sacramental alcohol, was quickly defeated in a senate committee.[5] As an Oklahoma newspaper commented when the controversy over sacramental wine came to the forefront in the fall of 1917, if "Catholic communion wine is exempt . . . all other denominations should be and that would make a pretty big leak" in the "Bone-Dry Law."[6] If this rationale was in the senators' minds during their brief discussion of sacramental alcohol, then the legislative decision was again grounded in the desire for a strict enforcement statute.

The legislature which attempted to tighten the liquor laws was not a nest of anti-Catholic bigots wanting to harass the small Catholic minority of Oklahoma. During the same session, for instance, a member of each house submitted a bill to require the inspection of all convents and monasteries

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[2] Jimmie Lewis Franklin, *Born Sober: Prohibition in Oklahoma, 1907–1959* (Norman: University of Oklahoma Press, 1971), pp. 36, 41, 54, 64.

[3] State of Oklahoma, *Journal of the Senate of the Regular Session, Sixth Legislature of the State of Oklahoma* (Oklahoma City: New Printing Company, 1917), pp. 361, 363.

[4] State of Oklahoma, *Journal of the House of Representatives of the Regular Session of the Sixth Legislature of the State of Oklahoma* (Oklahoma City: New Printing Company, 1917), pp. 738, 745.

[5] *Harlow's Weekly* (Oklahoma City), October 24, 1917; Urban de Hasque to John F. Cunneen, December 19, 1917 and De Hasque to Paul L. Blakely, S.J., January 31, 1918, Sacramental Wine Case file, Archives of the Archdiocese of Oklahoma City, Oklahoma City, Oklahoma.

[6] *Waukomis Hornet* as quoted by *Harlow's Weekly*, October 24, 1917.

Father Urban de Hasque—Chancellor for the Diocese of Oklahoma

to prevent the involuntary servitude of their members. Also the chairman of the Senate Committee on the Constitution and Constitutional Amendments informed one Catholic priest that this obviously anti-Catholic legislation was doomed to defeat. In his letter, State Senator Thomas O'Neill, a Protestant, declared that "[m]y knowledge of the personnel of this Body prompts me to assure you that no such legislation will be tolerated."[7] Furthermore, the senator who introduced the "Bone-Dry Law," Walter Ferguson, was a newspaper editor in Cherokee, Oklahoma, who when a display of anti-Catholic prejudice marred the election of the Republican National Committeeman in 1920, severely condemned the attitude of his fellow Republicans.[8]

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[7] De Hasque to Thomas J. O'Neill, February 12, 1917 and O'Neill to De Hasque, February 19, 1917, General Correspondence to 1930, Legislation file, Archives of the Archdiocese of Oklahoma City, Oklahoma City, Oklahoma.

[8] *The Orphan's Record* (Bethany), March, 1920, p. 17.

Rather than religious bigotry in the legislature, inactivity in the Catholic Church was a more accurate explanation for the failure of the "Bone-Dry Law" to exempt religious alcohol. As H. T. Laughbaum, the State Superintendent of the Anti-Saloon League of Oklahoma and chief architect for the legislation, explained, "We would gladly have incorporated into the law the permission to import wine into the state for sacramental purposes but at the time you [Episcopalians and and Catholics] sent no delegates and ignored us so completely that we let the law go on record as it stood."[9] As implied in Laughbaum's statement, the Catholic Church was indifferent to the act and did not make an issue of sacramental wine during the legislative discussion. Likewise, the Chancellor for the Diocese of Oklahoma, Father Urban de Hasque, claimed that, "[N]o group or society of Catholics is known by me to have taken any action for or against the passage of the Bone-Dry Law."[10] In fact, the only Catholic member of the legislature, State Representative H. R. Christopher of Henryetta, Oklahoma, voted in the house against Governor Williams' modification and in favor of the final bill.[11]

This inactivity of the Catholic Church continued after the legislature sent the approved measure to Governor Williams. As Williams weighed the merits of the legislation, the wets urged his veto and the drys wanted his signature on the bill.[12] Yet, Oklahoma's Catholic Bishop Theophile Meerschaert, although he had participated in several public events with the governor, and was a close acquaintance of the chief executive, apparently did not take advantage of this relationship to defeat the legislation.[13] Indeed, *The Catholic Advance* of Wichita, Kansas, editorialized that Oklahoma Catholics were oblivious to the possible consequences of the legislation. The paper declared that if "the Catholic people were on the lookout, the

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9 *Oklahoma City Times* (Oklahoma City), September 17, 1917.

10 De Hasque to Blakely, S.J., January 31, 1918, Sacramental Wine Case file, Archives of the Archdiocese of Oklahoma City.

11 State of Oklahoma, *Journal of the House of Representatives of the Regular Session of the Sixth Legislature of the State of Oklahoma*, pp. 745, 902.

12 For an example of those urging a veto, see W. J. Hess to Robert L. Williams, February 16, 1917; for an example of those urging approval, see Mrs. N. M. Carter and Mrs. S. E. Richardson to Williams, February 16, 1917, Robert L. Williams papers, Library, Oklahoma Historical Society, Oklahoma City, Oklahoma.

13 Two of these public functions included the dedication of the Knights of Columbus recreation hall at Fort Sill, Oklahoma, and a public reception honoring Meerschaert on his twenty-fifth anniversary as bishop. When Oklahoma established the state organization of the Belgian Relief Committee, Williams appointed Meerschaert as honorary president. However, a careful search of the Meerschaert papers held by the Archdiocese of Oklahoma City and of the Robert L. Williams papers held by the Oklahoma Historical Society did not reveal any correspondence between the two men regarding the "Bone-Day Law."

temporary annoyance to which they are put at the present might have been sidetracked."[14] Through such inactivity and indifference, the Catholic Church allowed the state to enact a prohibition measure which outlawed alcohol for religious purposes. Such a strict statute posed serious problems as soon as a state or county official attempted to enforce the ban on religious liquor.

Bishop Theophile Meerschaert, who was a close friend of Governor Robert L. Williams

The controversy came to the forefront in August, 1917, and the previously ignored issue of sacramental wine was propelled to the front pages of the state's newspapers. Armed with a warrant issued by Judge Custer Burke, the sheriff of Cleveland County seized a barrel containing fifty bottles of sacramental wine at the Atchison, Topeka and Santa Fe Railroad freight office in Norman, Oklahoma, which were consigned to Monsignor John Metter, Pastor of St. Joseph's Church in that city. However, after being returned to Judge Burke's courtroom, the fermented wine disappeared.[15] Metter immediately informed Governor Williams of the incident, protested the confiscation and claimed that the judge and his friends themselves consumed the liquor. As the legislature had also enacted a law which called for the removal of any state or county officer who failed to enforce prohibition, the governor ordered Attorney General S. Prince Freeling to launch an immediate investigation.[16]

The attorney general, an ardent dry, was presented with a situation involving two untested laws, the "Bone-Dry Law" and the removal statute. Lest the two issues be confused, Freeling issued an interpretation of the prohibition law based on a letter which he had received during the summer

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[14] *The Catholic Advance* (Wichita, Kansas), October 20, 1917.

[15] J. J. Baker to Theophile Meerschaert, September 16, 1917, Sacramental Wine Case file, Archives of the Archdiocese of Oklahoma City; *The Daily Oklahoman* (Oklahoma City) August 30, 1917; *The Oklahoma News* (Oklahoma City), September 29, 1917.

[16] *Oklahoma City Times*, August 31, 1917.

from Father Leo Gariador, Prior of the Benedictine Abbey at Sacred Heart, Oklahoma. The monk had sent a private and confidential inquiry to the attorney general asking for friendly advice regarding the legality of the monk's manufacture of wine for use by the monastery. Freeling had informally told one of the Benedictine brothers that such action would be tolerated as long as the county officers did not interfere.[17] Freeling, however, reversed himself and issued an official opinion based upon a strict reading of the law and declared that sacramental wine was indeed prohibited.[18] Regarding Metter's charges against Judge Burke, the attorney general called for a grand jury investigation which ultimately exonerated the judge.[19]

When the newspapers printed the Freeling decision on altar wine, Bishop Meerschaert denounced the ruling as "intolerable and outrageous" and asserted that the Catholic clergy would continue to use wine in defiance of Freeling's official opinion.[20] Spurred by such criticism, the attorney general announced that he would attend a meeting of the representatives of various railroads in Oklahoma, and hoped that together they might find some legal means to allow for the importation of sacramental wine. But, Freeling cautioned, "We do not make the law; we merely construe it."[21] However, the meeting failed to discover a loophole, and the railroads reluctantly announced that they would follow the letter of the law.[22]

The Norman seizure and the subsequent attorney general's ruling forced the Catholic Church to take cognizance of the failure by the state legislature to exempt sacramental wine from prohibition. In doing so, the hierarchy of the Catholic Church in Oklahoma offered a different explanation for the legislative motivation behind the "Bone-Dry Law," and Bishop Meerschaert was not hesitant to declare that a "great deal of bigotry" was mixed into the prohibition movement.[23] Father De Hasque, Meerschaert's chancellor, accused dry leader Laughbaum of being sick with religious intolerance and "communicating the virus of his contagious infection to the members of the legislature."[24] *The Orphan's Record*, Oklahoma's official Cath-

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[17] Leo Gariador to Meerschaert, September 12, 1917 and Gariador to Meerschaert, September 15, 1917, Sacramental Wine Case file, Archives of the Archiocese of Oklahoma City.

[18] *The Oklahoma News*, September 7, 1917.

[19] *The Daily Oklahoman*, September 21, 1917.

[20] *The Daily Oklahoman*, September 8, 1917.

[21] *The Daily Oklahoman*, September 9, 1917.

[22] *Oklahoma City Times*, September 10, 1917.

[23] De Hasque to Bernard J. McNamara, November 27, 1917, Sacramental Wine Case file, Archives of the Archdiocese of Oklahoma City.

[24] De Hasque to Blakely, S.J., January 31, 1918, *ibid.*

Monsignor John Metter whose shipment of sacramental wine was seized by Cleveland County officials

olic publication, editorialized that those who "love to find fault" with the Catholic Church created the controversy out of bitterness.[25] This explanation of the law as an example of religious prejudice was understandable in view of the anti-Catholic sentiment clearly present in Oklahoma during the previous decade. Yet, the Catholics' view of the legislative intent and the actual desire of the legislators to insure strict enforcement of prohibition determined the issue of the subsequent controversy. With the Catholics believing that religious bigotry had enacted the law, they grounded their arguments on the principles of religious freedom and toleration. Nonetheless their opponents could only view the many social and moral ills which could be cured only though the rigorous ban of intoxicating liquor.

During the fall of 1917, the Catholics of Oklahoma received verbal support from other denominations. In early September, Dean Frederick Bates of Oklahoma City's Episcopal cathedral stated that the use of fermented wine in liturgical services was a matter of conscience for all Catholics and Episcopalians. Furthermore, he argued that the prohibition of sacramental wine was a direct violation of the principle of religious freedom.[26] The annual convention of Oklahoma Episcopalians concurred with Bates when it resolved that the "Bone-Dry Law" was an infringement upon the constitutional guarantee of religious liberty and called upon the legislature to amend the law during its next session.[27] In a sermon to his congregation, Reverend A. C. Dubberstein, Pastor of the Zion Lutheran Church in Oklahoma City argued that the act violated the principles of Sacred Scripture, the United States Constitution and the Oklahoma Constitution.[28] In addition Reverend Oswald Helsing of the Unitarian Church

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[25] *The Orphan's Record*, October, 1917, p. 306.

[26] *Oklahoma City Times*, September 10, 1917.

[27] *The Daily Oklahoman*, October 5, 1917.

[28] *The Daily Oklahoman*, November 19, 1917.

in Oklahoma City also said that the law was an offense against the liberty of conscience.[29]

Other religious leaders, however, rejected the claims of those wanting sacramental wine. Reverend A. P. Aten, Pastor of the South Side Christian Church and President of the Oklahoma City Ministerial Alliance, claimed that the state needed to enforce all of its laws and that "there was no necessity for the introduction of wine for sacramental purposes."[30] Furthermore the members of the Ministerial Alliance passed a compromise resolution which amounted to a defeat for the arguments of the Catholic Church. Not only did they urge the support of all the current prohibitory laws of the state, but they avoided taking a position on fermented wines in divine worship.[31] The congregation of Oklahoma City's First Baptist Church also entered the fray, and unanimously passed a resolution condemning any effort to discriminate in favor of any denomination in the transportation of wine into the state for sacramental purposes. The Baptists based their opinion on the idea that the laws against intoxicating liquors needed to be applied impartially to all Oklahomans.[32] All these statements against altar wine stressed the necessity of enforcing the prohibition ordinances of Oklahoma. Thus, the religious leaders of the state were divided over the issue, with the Catholics and their Protestant allies arguing for religious freedom and with many other Protestants believing that only forceful legislation could bring about effective prohibition.

By the end of September, 1917, the controversy had resulted only in a strict interpretation of the "Bone-Dry Law" and in the railroads refusing to transport sacramental wine. Because the legislature of Oklahoma held only biennial meetings an appeal to that body would have to wait until the next session convened in 1919. Hence the Catholics believed that their only avenue for relief from this "oppressive situation" was the judicial system.[33] However, the Norman seizure entailed more legal issues than simply the use of alcohol in religious rituals. With a court judge accused of drinking the liquor, a law requiring the removal of officials for failing to enforce prohibition still untested, the disappearance of the wine and an impulsive pastor the probable plaintiff in any court case, it was wise that the Catholic Church chose not to base any appeal on the Norman incident.

Meanwhile the circumstances for an uncluttered appeal began to emerge in Guthrie, Oklahoma, as a result of the actions of Father John Van Gastel,

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[29] *Oklahoma City Times*, September 17, 1919.
[30] *Oklahoma City Times*, September 10, 1917.
[31] *Oklahoma City Times*, September 17, 1917.
[32] *The Daily Oklahoman*, September 10, 1917.
[33] *The Orphan's Record*, November, 1917, p. 329.

Pastor of St. Mary's Catholic Church. Although the priest had been receiving wine from Kansas City, Missouri, on the Missouri, Kansas and Texas Railroad, the railway was now refusing to ship any sacramental alcohol. By the middle of September, Father Van Gastel had only enough wine for a few more days, however the chaplain at the Benedictine college in Guthrie had promised to supply him with a bottle. Nonetheless this was only a temporary solution to Van Gastel's problem.[34]

While the situation was desperate for the Catholics in Guthrie, it was ideal for the diocesean officials who were looking for a test case. Consequently, Father De Hasque attempted on October 4, to ship to Van Gastel on the Santa Fe Railroad eight quarters of "unadulterated fermented juice of the grape." Following the attorney general's opinion, the railroad agent refused to accept the shipment, and one week later, De Hasque went into the State District Court for Oklahoma County to file suit against the railroad. In his brief, De Hasque petitioned the court to issue a writ of mandamus ordering the railroad to accept and deliver all shipments of altar wine.[35] The basis of the argument was that sacramental wine was essential for the Sacrifice of the Mass which was the supreme act of worship for all Catholics. According to the legal brief, interference with the Catholic liturgy violated the United States Constitution's guarantee of freedom of religion; disregarded Article I, Section 2 of the Oklahoma Constitution, which prevented any person from being molested on account of his mode of religious worship; and transgressed the Louisiana Purchase Treaty of 1803, which protected all inhabitants of the region in the enjoyment of their religion. In summary, he protested that the ban on sacramental wine infringed upon the religious freedom of many Oklahomans.[36]

The chief attorney representing De Hasque was W. Frank Wilson, a prominent Catholic lawyer in Oklahoma City. Assisting Wilson were Mont F. Highley, a Catholic, and John H. Shirk, a Lutheran. For their defense, the Santa Fe Railroad had the services of Samuel Hayes, former Chief Justice of the Oklahoma Supreme Court, and Attorney General Freeling, who joined with the defense on behalf of the state.[37] Believing that the "Bone-Dry Law" had proved to be the most effective of all prohibition measures, Freeling wanted to insure that the Catholic challenge to the law would not result in totally invalidating the statute.[38] Thus, the

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[34] Van Gastel to De Hasque, September 10, 1917, Sacramental Wine Case file, Archives of Archdiocese of Oklahoma City.

[35] *The Daily Oklahoman*, October 12, 1917.

[36] *Harlow's Weekly*, October 17, 1917.

[37] *The Orphan's Record*, June, 1918, p. 24.

[38] *Harlow's Weekly*, October 17, 1917.

Father John Van Gastel whose order of sacramental wine would not be carried by the Missouri, Kansas and Texas Railroad

battle of religious freedom opposing the strict enforcement of prohibition moved from the front pages of the newspapers to the courts. Regarding the outcome of the conflict, the Catholic Church was confident as it had "abiding faith in the integrity of our . . . courts, and when the time comes the right interpretation will be attached to the law."[39]

Such optimism, however, proved unfounded. On December 24, 1917, State District Court Judge George W. Clark rendered his decision and declared that the "law means what it says and says what it means." Clark reasoned that the "Bone-Dry Law" made the transportation of all intoxicating liquors illegal, except for grain alcohol consigned to specific institutions. Holding that the use of the wine was extraneous to the legal question, the judge ruled against the plaintiff and affirmed the illegality of transporting fermented wine into the state, even for sacramental purposes.[40] On the day of the decision, the attorneys for De Hasque announced that they would appeal the decision to the State Supreme Court.[41]

The adverse decision of the lower court brought added national publicity to the plight of the Catholic Church in Oklahoma, and as Reverend Peter Guilday, the noted Catholic historian, declared "[t]he situation of the Church in Oklahoma has been brought before the entire United States."[42] The country's Catholic newspapers became interested in the case and, according to *The Morning Star* of New Orleans, Louisiana, were united in condemning the district court decision.[43] The national Jesuit weekly, *America*, used the case in its continuing fight against prohibition and citing the district court decision as its example, editorial-

[39] *The Orphan's Record*, October, 1917, p. 306.
[40] *Harlow's Weekly*, December 26, 1917.
[41] *Oklahoma City Times*, December 24, 1917.
[42] Peter Guilday to De Hasque, January 22, 1918, Sacramental Wine Case file, Archives of the Archdiocese of Oklahoma City.
[43] *The Morning Star* (New Orleans, Louisiana), January 19, 1918.

ized that the prohibition movement was endangering the Catholic Mass[44]

Such publicity caused De Hasque to receive numerous letters of inquiry regarding Oklahoma's "Bone-Dry Law" and Judge Clark's decision.[45] Many of these inquiries wanted information so that the writers could judge the possible impact of prohibition on their own localities. For example, Ohio was scheduling a vote of the people in the fall of 1918, on the subject on prohibition, and many Catholics were concerned over the future of sacramental wine in that state.[46] The legislature of heavily Catholic Massachusetts was considering the National Prohibition Amendment in the spring of 1918, and the Catholic Church there also was concerned over the developments in Oklahoma.[47]

While many letters coming to Oklahoma City wished the church officials well in their court test of the law, others suggested non-judicial solutions to the ban on altar wine. A Catholic layman in Vinita, Oklahoma, proposed that a statewide movement should petition President Woodrow Wilson to use his authority to obtain wine for Oklahoma Catholics.[48] A more radical proposal came from an Iowa correspondent, who declared that it was "indeed high time for us Catholics to assert ourselves most resolutely . . . ," and urged that Catholic members of the armed services should refuse to fight as long as the government continued to violate the principle of religious freedom.[49] The Oklahoma Catholic Church revised this letter and printed the threat in the diocesean newspaper as "An Open Letter" from "Iowanus Rusticus."[50] Another writer from Maryland suggested that the arrest of one or two priests "might be just the thing to arouse our Catholic people to the danger."[51]

Such national publicity also attracted the attention of John F. Cunneen, an Irish Catholic lecturer for the national prohibition effort, who realized that the Catholics, while an insignificant part of Oklahoma's population, were "strong in other states where it is necessary to get Catholic votes before prohibition can win." If the national prohibition forces did not repudiate "the Burchards of the Prohibition movement" in Oklahoma, Cunneen

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[44] *America*, Vol. XVIII, No. 13 (January 5, 1918), p. 323.

[45] De Hasque to Blakely, S.J., January 31, 1918, Sacramental Wine Case file, Archives of the Archdiocese of Oklahoma City.

[46] Albert J. Van Den Bosch to De Hasque, March 24, 1918, *ibid.*

[47] J. J. Spline to De Hasque, March 22, 1918, and Francis McManus to Meerschaert, March 17, 1918, *ibid.*

[48] J. F. Davlin to De Hasque, Januray 11, 1918, *ibid.*

[49] Joseph A. Mench to De Hasque, February 16, 1918, *ibid.*

[50] *The Orphan's Record*, April, 1918, pp. 9–10.

[51] McNamara to De Hasque, March 19, 1918, Sacramental Wine Case file, Archives of the Archdiocese of Oklahoma City.

claimed that the Oklahoma dry fanatics "will do more to defeat prohibition in the United States than all of the liquor traffic forces."[52] To persuade the prohibition forces to exempt sacramental wine, Cunneen printed a leaflet entitled, "The Oklahoma Sacramental Wine Case Is Not Settled!" Arguing that the churches that use wine have a majority of the church members in 21 different states with 255 electoral votes, he concluded that as "it takes only 13 [states] to defeat the National Prohibition Amendment, and 266 electoral votes to elect a President, it can be easily seen that it would be suicidal policy for prohibitionists to favor a law that prohibits the use of wine for sacramental purposes."[53] Copies of this and other pamphlets by Cunneen filled the mailboxes of the leaders of the Oklahoma Anti-Saloon League, the Women's Christian Temperance Union, the Prohibition Party and state officials as part of the crusade to reverse the position of the Oklahoma prohibitionists.[54]

Cunneen was not alone in this effort, as other national dry leaders attempted to force a change in Oklahoma's ban of sacramental liquor. In 1914, the Catholic Prohibition League of America had pledged itself to securing prohibition on both the state and national levels and to prevent altar wine from ever being included under any ban of alcoholic beverages.[55] Following its pledge, the organization informed its national membership of the "outrageous" and "fanatical" law in Oklahoma.[56] Furthermore, the leadership of the Anti-Saloon League of Massachusetts publicly repudiated the Oklahoma statute, and pledged to use every bit of its influence to bring about a change in the state's liquor law.[57]

The national movement had cause to worry about the turn of events in Oklahoma. On April 16, 1918, New York held local option elections in thirty-nine cities, and although the dry forces had expected to carry at least thirty of these elections, only twenty cities voted in favor of prohibition. While some drys attributed the electoral defeats to the failure of newly enfranchised women to vote in large numbers, others analyzed the returns as a direct result of the situation in Oklahoma. The New York liquor forces had capitalized upon the Oklahoma legislation and made it appear that their dry opponents favored its "Bone-Dry Law." Thus, one of the major issues in the New York elections was the prohibition of sacramental wine

52 John F. Cunneen to De Hasque, February 8, 1918, *ibid.*

53 Cunneen, "The Oklahoma Sacramental Wine Case Is Not Settled!" *Ibid.*

54 Cunneen to De Hasque, February 28, 1918, *ibid.*

55 Catholic Prohibition League of America, *Proceedings of the First Conference of Catholics Favoring Prohibition* (Scranton, Pennsylvania: Catholic Prohibition League of America, 1914), p. 7.

56 *Catholic Temperance Advocate* (Chicago, Illinois), January, 1918, p. 37.

57 *Catholic Journal* (New York City, New York), May 4, 1918.

in Oklahoma.[58] For many drys, the outcome in New York provided concrete electoral evidence that the Oklahoma controversy was endangering the national prohibition effort.

With such pressure being applied to the Oklahoma drys, Laughbaum and the Anti-Saloon League retreated from the position they had taken in 1917. Rather than intentionally omitting sacramental wine, Laughbaum now claimed that he had only "overlooked" the exemption of altar wine when drafting the measure. Furthermore, he publicly pledged that he would secure an amendment exempting sacramental wine during the next legislative session if the Oklahoma Supreme Court ruled against De Hasque.[59] Thus, the pressure from dry groups beyond Oklahoma's borders had secured a pledge that Catholics would ultimately be legally able to obtain wine for sacramental purposes.

The Catholics, however, did not need to wait until the next legislature as the Oklahoma Supreme Court rendered its decision on May 21, 1918. Although Chief Justice M. J. Kane, himself a Roman Catholic, abstained, the remaining supreme court justices were unanimous in their verdict. While the opinion, written by Justice Thomas H. Owens, admitted that the literal interpretation of the "Bone-Dry Law" would prohibit altar wine, the justice recognized that the state legislature had always manifested a strong belief in the freedom of religion and a profound reverence for divine services. Consequently, the legal brief concluded that sacramental wine was exempt from the "Bone-Dry Law" because religious liquor was "not within its spirit, nor within the intention of its makers."[60] Thus, in the conflict between the freedom of religion and the strict enforcement of prohibition, the final legal decision supported the principle of religious freedom. However, the justices also upheld the constitutionality of the ban on the transportation of intoxicating liquors. Thus, Attorney General Freeling was successful in keeping the law intact even if the court system allowed Catholics to obtain alcohol for religious services.

The Catholic reaction to the decision was understandably one of elation. *The Orphan's Record* praised the judgement as reflecting "much honor and credit upon the Supreme Court of Oklahoma and shall be heralded throughout the United States by the true friends of religious liberty."[61] In

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[58] Ernest Hurst Cherrington, *The Anti-Saloon League Yearbook, 1918* (Westerville, Ohio: The American Issue Press, 1918), p. 258; *Catholic Journal*, May 4, 1918; Cunneen to De Hasque, April 22, 1918, Sacramental Wine Case file, Archives of the Archdiocese of Oklahoma City.

[59] H. T. Laughbaum to W. H. Anderson, April 11, 1918, as printed in *Catholics and Prohibition* (La Salle, New York) August, 1918, pp. 5–6.

[60] State of Oklahoma, *Oklahoma Reports* (Oklahoma City: Harlow Publishing Company, 1918), "Atchison, Topeka and Santa Fe Railroad Company vs. De Hasque," pp. 183–190.

[61] *The Orphan's Record*, June, 1918, p. 25.

addition *The Catholic Advance* claimed victory over the enemies of the Catholic Church and warned them "not [to] hatch any more 'crow' for they shall be made to eat it."[62] *The Morning Star* also congratulated Meerschaert and De Hasque on their victory and praised the triumph of religious liberty.[63] Furthermore, De Hasque received many personal letters of congratulations from prominent Catholics who believed that the decision would protect the church in its religious exercises even as the prohibition movement crystalized into national law.[64]

The dry forces also hailed the judicial ruling, but for different reasons. Laughbaum claimed that the "Oklahoma case is settled for all time, and anti-prohibitionists will no longer be able to make capital out of this case under the pretense of saving the Mass."[65] The Anti-Saloon League of America declared that the legal decision was the exhaustive answer to "the opponents of prohibition [who] have seized upon the decision of the lower court and used it widely to prejudice Catholic voters and certain other Church voters against such legislation and constitutional amendments." In fact, the organization printed the "very remarkable" decision in full and urged their members to take particular note of the ruling.[66]

By judicially excluding the use of altar wine from the dry laws, the court decision was thus a major weapon for the prohibitionists to use in conquering one of the last defenses against the National Prohibition Amendment. Indeed, the legislature of Massachusetts ratified the amendment only after being assured that the prohibition of wine "for beverage only" did not include sacramental wine.[67] Futhermore, this court case insured the right of the Catholic Church in Oklahoma to obtain sacramental wine until the state finally repealed prohibition in 1959.

The entire incident of the prohibition of fermented wine for religious use in Oklahoma resulted from a misunderstanding of all parties involved. Because the legislature of Oklahoma passed the "Bone-Dry Law" simultaneously with outbreaks of anti-Catholic bigotry, the Catholic leaders of Oklahoma understandably attributed the law against altar wine to religious intolerance. Yet, the legislative history contradicts the presence of religious prejudice as the chief motivating force. Rather the legislators wanted to pass a strict enforcement statute in order "to conserve the morals and

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[62] *The Catholic Advance*, June 8, 1918.

[63] *The Morning Star*, June 15, 1918.

[64] For example, see Glennon to De Hasque, May 24, 1918, Sacramental Wine Case file, Archives of the Archdiocese of Oklahoma City.

[65] *Catholics and Prohibition*, August, 1918, p. 6.

[66] Cherrington, ed., *The Anti-Saloon League Yearbook, 1918*, pp. 278–285, 455.

[67] Splaine to De Hasque, February 22, 1918, and March 20, 1918, Sacramental Wine Case file, Archives of the Archdiocese of Oklahoma City.

guarantee the safety of the public by suppressing the use and traffic in intoxicating liquors and prevention of kindred and resulting evils."[68] Thus, there was no motive of religious bigotry involved in the passage of the Prohibition Act.

In the historiographical controversies dealing with the Progressive era of the early twentieth century, a major question was whether the reformers were intolerant and nativistic. To cite only that the Oklahoma prohibitionists outlawed sacramental wine would be strong evidence in support of the contention that the progressive movement was intolerant. However, this was misleading as religious intolerance had little to do with the passage of the legislation. In the judicial decision at the height of the Progressive period, the Oklahoma Supreme Court unanimously favored the religious practices of the small Catholic minority over the dry sentiments of the majority. In actuality the entire episode was the result of an oversight by both Catholic leaders and legislators during the initial passage of the "Bone Dry Law."

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[68] This is the wording which the Supreme Court used to describe the sole legislative intent behind the "Bone-Dry Law;" State of Oklahoma, *Oklahoma Reports*, "Atchison, Topeka and Santa Fe Railroad Company vs. De Hasque," pp. 183–190.

"KATY" DEPOTS OF OKLAHOMA: A PICTORIAL HISTORY

*By H. Roger Grant and Donovan L. Hofsommer**

For several generations the Missouri, Kansas and Texas or "Katy" Railroad Company has served the transportation needs of Oklahoma. This service, of course, has been varied, ranging from boxcars of wheat shipped from elevators in the Panhandle of Oklahoma to travelers riding its crack passenger trains. Unquestionably this railroad has played an important role in the economic history of the state.[1] "Katy" depots, moreover, are an integral part of Oklahoma's architectural heritage. While they are not unique to railroad architecture, they represent types typically built by "granger" railroads during the last quarter of the nineteenth century and the early decades of the twentieth century.

Although little has been written on the subject of railroad architecture, particularly rural stations, several general comments can be made about the more than 100 Missouri, Kansas and Texas Railroad depots in Oklahoma, still standing or previously dismantled.[2] While Carroll L. V. Meeks, a leading authority on railroad architecture, classifies nearly all pre-1925 stations in America as "picturesque eclectic," a more useful categorization of "Katy" station styles can be developed.[3] They can be described as "Late Victorian" (ca 1870–1910), "Early Modern" (ca 1910–1925) and "Modern" (ca 1925 to the present). In addition the distinction between rural and urban stations should be noted.

"Katy" Railroad stations of the "Late Victorian" classification are both monuments to the era's great transportation boom and reflections of nineteenth century civic boosterism. They are distinguished by their over-all ornateness: decorative towers or uneven roof lines, filagree work on roofs and carriage canopies, arched and oval windows and roof dormers. "Early

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[1] The leading historical studies of the Missouri, Kansas and Texas are: V. V. Masterson, *The Katy Railroad and the Last Frontier* (Norman: University of Oklahoma Press, 1952) and Donovan L. Hofsommer, *Katy Northwest: The Story of a Branch Line Railroad* (Boulder, Colorado: Pruett Publishing Company, 1974).

[2] Only twenty-three "Katy" stations remain in Oklahoma and only twenty of these are classified as "open" or agent assigned. The "open" stations include: Altus, Atoka, Bartlesville, Broken Arrow, Checotah, Chouteau, Cleveland, Cushing, Durant, Eufaula, Hominy, McAlester, Muskogee, Oklahoma City, Pryor, Stringtown, Tulsa, Vinita, Wagoner and Welch. Depot buildings are standing, but unused, at Frederick, Tipton and Humphreys.

[3] Carroll L. V. Meeks, *The Railroad Station: An Architectural History* (New Haven, Connecticut: Yale University Press, 1956).

Modern" stations, however, adhere more to the concept that form must follow function. By the early 1900s the nation's railroads, including the "Katy," believed that they should build stations for efficiency rather than constructing "those painfully elaborate affairs which run more to striking architectural beauty than to utility."[4] Thus, stations appeared with uniform roof lines, functional floor-plans and, of course, the absence of decorative detail.

M-K-T herald, ca 1952

One notable form of the "Early Modern" type found along the Missouri, Kansas and Texas Railroad in Oklahoma was the standardized station. Most railroad companies when constructing new trackage after the beginning of the twentieth century asked their engineering departments to design inexpensive standard wooden depots for small communities and more substantial, yet standardized, ones for larger towns. The more than thirty depots built by "Katy's" affiliate, the Wichita Falls and Northwestern Railroad which had lines from Wichita Fallas, Texas, to Forgan, Oklahoma, and from Altus, Oklahoma, to Wellington, Texas, for instance, are marvelous examples of the "Early Modern" standardized station. They are largely of three different styles, exemplified by the plain frame Forgan depot, the more elaborate Hollis, Oklahoma, station and the brick Altus structure.[5]

The "Modern" stations reflect contemporary tastes in architecture. For example, the brick station at Pryor, Oklahoma, constructed in 1927, and Union Station in Tulsa, Oklahoma, built in 1930, and used by the "Katy," compliment other modern local structures. Naturally strong similarities exist between "Early Modern," especially the standardized stations, and "Modern" types, although the newer structures are often characterized by the extensive use of windows in office and waiting areas and by steel skeleton support walls sheathed in brick or terra cotta.

The rural stations of the Missouri, Kansas and Texas Railroad, whether "Late Victorian," "Early Modern" or "Modern" have similar, if not identi-

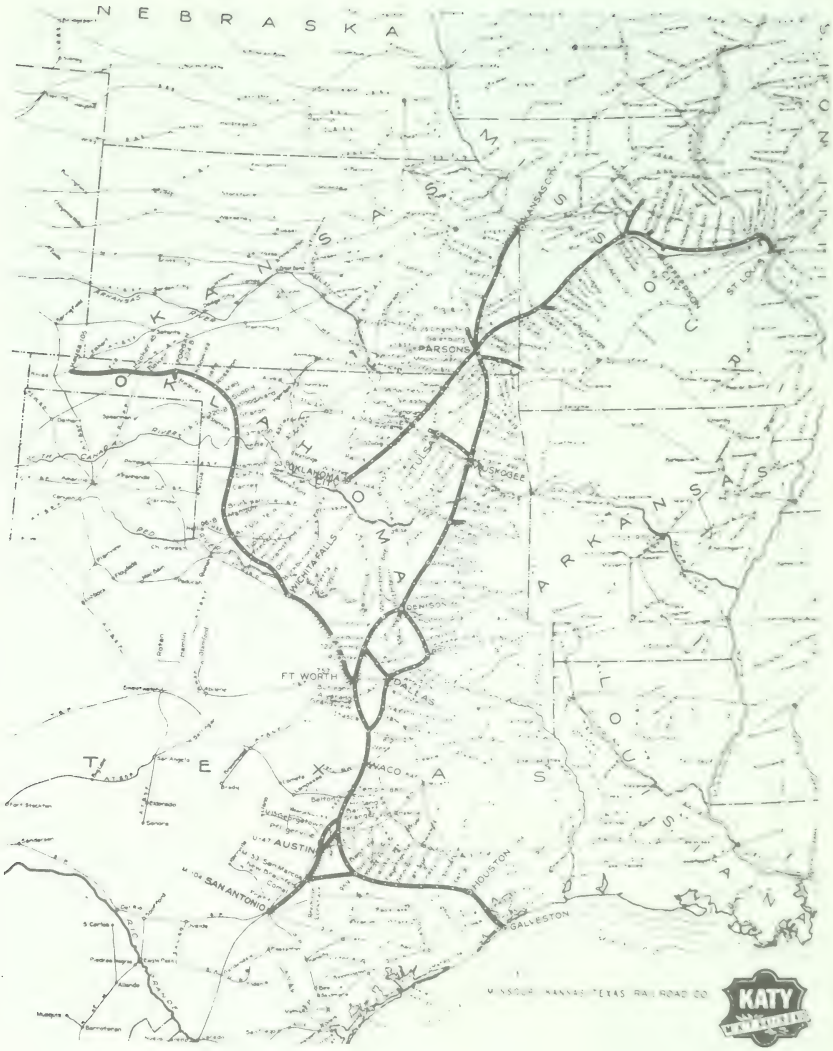
[4] John Droege, *Passenger Terminals and Trains* (New York: McGraw Hill Book Company, 1916), p. 259.

[5] Of all the stations built to serve these lines, only the one at Altus is yet in service. Indeed, except for the stretch between Wichita Falls and Altus and the road between Altus and Hollis—now the Hollis and Eastern Railroad—all other trackage of what once was the Missouri, Kansas and Texas Northwestern District has been abandoned.

cal, floor plans. These stations normally have three distinct sections: a center agent's office and ticket area, a baggage-freight-express section and a public waiting room. Urban "Katy" stations, on the other hand, not only have a rich variety of architectural styles, but they have complex floor layouts. Always multiple-story affairs, they usually serve as division points for operating personnel and therefore contain office space for dispatchers, clerks and other white-collar employees.

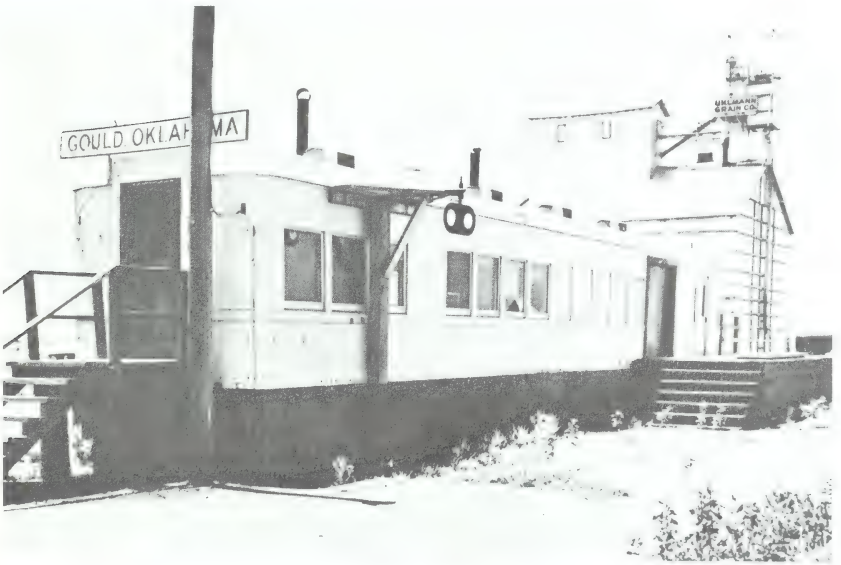
The following illustrations show a variety of "Katy" architectural styles, past and present. The photographs were furnished by the archives of the Missouri, Kansas and Texas Railroad, the Sue Hocker Ward Collection and the private collections of the authors.[6]

[6] The Blue Jacket, McAlester, Tulsa, Mangum and floor plan illustrations are provided courtesy of the Missouri-Kansas-Texas Railroad; the two Camargo views are from the Sue Hocker Ward Collection; Professor Grant provided the prints of the Shawnee and Muskogee facilities; photographs of the Forgan, Altus and Hominy stations were made by Professor Hofsommer and the Hollis, Gould, Missouri, Kansas and Texas Railroad herald, and map prints are also from his collection.



Map of Missouri, Kansas and Texas railroad lines in 1972.

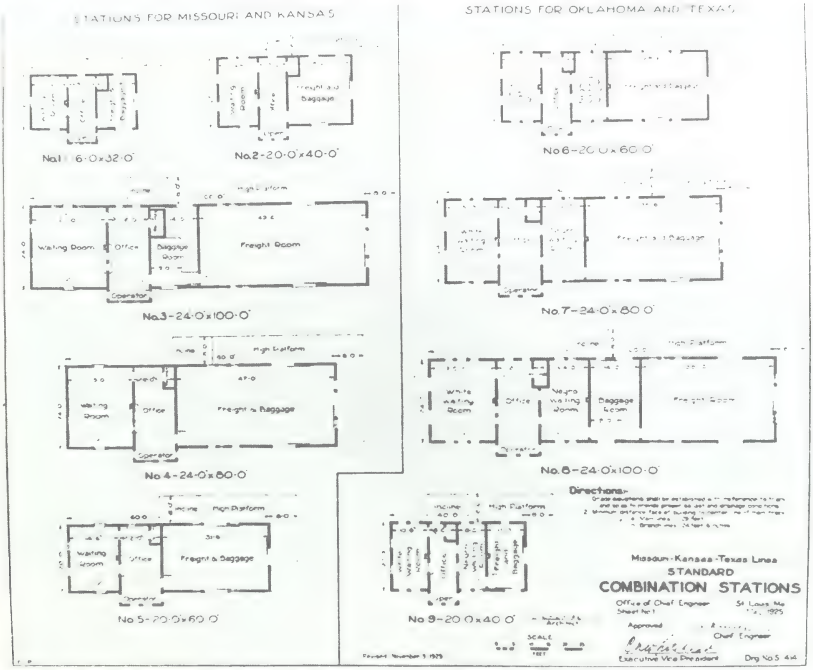
The Muskogee, Oklahoma, "Katy" station resembles many urban depots of the late nineteenth century. Its large tower, roof dormers and arched tower windows make this structure "Late Victorian."



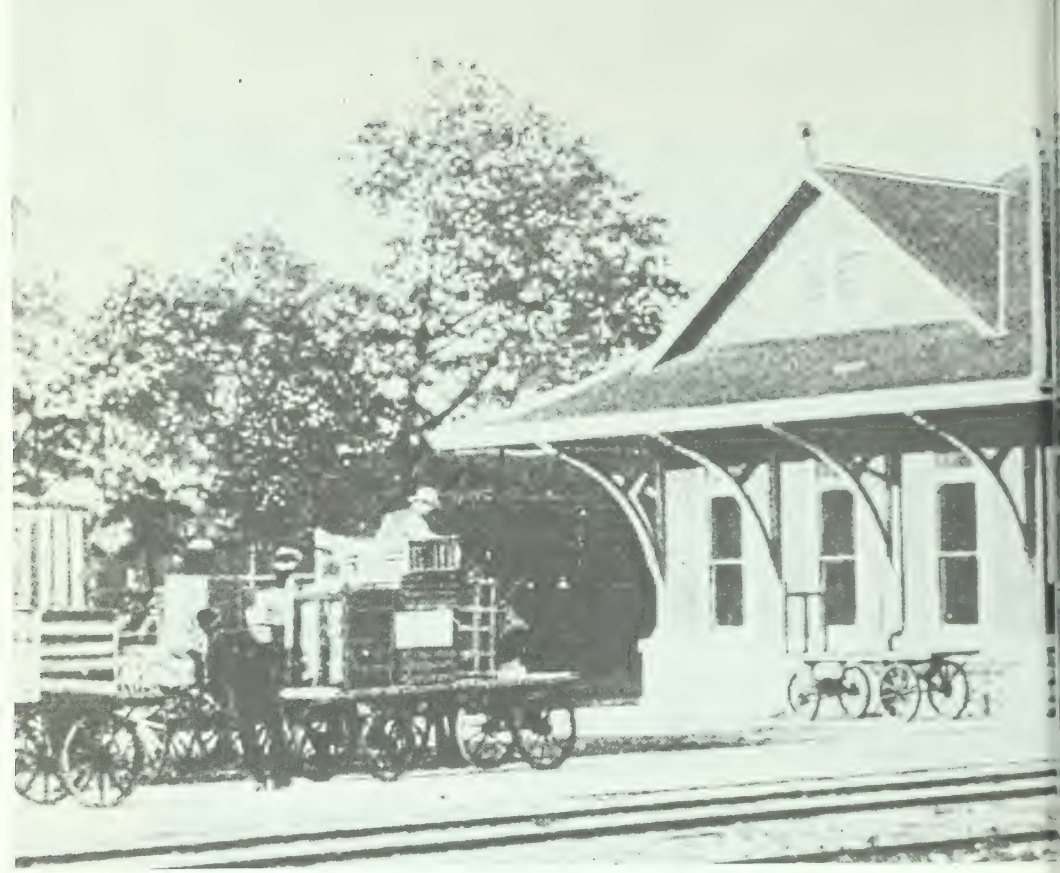
A former passenger car, the Gould, Oklahoma, station is typical of makeshift depot structures used in the twentieth century in the smaller communities. Like the Mangum station, this is a replacement structure, and is now owned but unused by the Hollis and Eastern Railroad.

The Union Station in Tulsa, Oklahoma, is "Modern" in design. This photograph, made in 1931, reveals the newly opened terminal.

The office area of the "Katy" station at Camargo, Oklahoma, is typical of standardized rural stations everywhere—Spartan but functional.



Floor plans for Missouri, Kansas and Texas Railroad Standard Combination Stations.



The Camargo, Oklahoma, depot is representative of the inexpensive standard wood frame structures utilized by the Wichita Falls and Northwestern Railroad at small way stations in western Oklahoma.

The Shawnee, Oklahoma, station is a fine example of rural "Late Victorian" depot architecture. It passed from the Missouri, Kansas and Texas Railroad to the Oklahoma City, Ada and Atoka Railway and finally to the Atchison, Topeka and Santa Fe Railway. It was retired in 1967.

Like the Forgan structure, the Hollis, Oklahoma, depot is built to standardized plans. In 1959, it was conveyed by the "Katy" to the Hollis and Eastern Railroad, and that company dismantled it in 1973.

The now unused McAlester, Oklahoma, station once shared jointly with the Rock Island Railroad. It can be classified as an "Early Modern" urban structure. Yet, it has several transitional features: the low end tower and oval and arched windows. "Katy" business at this important Oklahoma community now is transacted at a new office located in North McAlester, Oklahoma. — Right

The Mangum, Oklahoma, depot, although of a standard design and "Modern" in style is a replacement structure used by the railroad in "county-seat" towns.

CHIEF JOHN ROSS AND CHEROKEE REMOVAL FINANCES

*By Gary E. Moulton**

From 1835 to 1846, Cherokee contentions centered on two issues: control of political power and application of the tribe's finances. Indeed these problems were two sides of the same coin, for the group that held the political reins, the party of Principal Chief John Ross, also gripped the nation's pursestrings. Ross's opponents, a vigorous minority led by the illustrious Ridge-Watie-Boudinot family, out of power and dissatisfied with their lot, would challenge Ross on the grounds of political power-grabbing and financial mismanagement for his personal profit. In regard to monetary matters, there is little evidence to support the conclusion that Ross gained personally or managed poorly this Cherokee trust. The debate, nonetheless, will continue to be lively.[1]

The principal financial provisions of the Treaty of New Echota are well-known. The Cherokees would receive $5,000,000 for their lands east of the Mississippi River in exchange for the lands in the West already guaranteed members of the tribe who had moved there earlier. From that amount, $500,000 was deducted for an additional tract of land of 800,000 acres, the so-called Neutral Lands in present-day southeastern Kansas. President Andrew Jackson struck two articles from the treaty which would have allowed preemption rights to selected Cherokees because he desired a total removal of the Indians, and in place of the offending passages, an additional appropriation of $600,000 was made.[2]

Chief Ross and a team of anti-treaty delegates worked vigorously in Washington, D.C., in the opening months of 1836, against these terms. What the group presented to the United States Senate when the debates began in March, 1836, was one of the most elaborate protests ever sent to Congress by the Cherokees. The delegation declared emphatically that the Senate should not ratify "a treaty made without their [the Cherokees'] authority, false upon its face, and against the known wishes of the nation." Yet, when the New Echota treaty came up for questioning in the Senate,

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[1] For an interpretation that differs considerably with mine see: Gerald A. Reed, "Financial Controversy in the Cherokee Nation," *The Chronicles of Oklahoma*, Vol. LII, No. 1 (Spring, 1974), pp. 82–98.

[2] Charles J. Kappler, ed. and comp., *Indian Affairs: Laws and Treaties* (5 vols., Washington: Government Printing Office, 1904–1941), Vol. II, pp. 439–449; Charles C. Royce, "The Cherokee Nation of Indians," *Bureau of American Ethnology Fifth Annual Report* (2 parts, Washington: Government Printing Office, 1887), Part 2, pp. 253–258.

it did not engender the kind of debate Ross and his friends had hoped for. Henry Clay of Kentucky at one point introduced a resolution which would have negated the treaty, but his amendment was rejected. The narrowness of the vote convinced the pro-treaty Senate faction to marshal its forces for the concluding poll. The final vote on the treaty was taken on May 18, 1836, and with two senators absent, the tally stood at thirty-one for approval and fifteen opposed—only one vote more than the necessary two-thirds majority to bind the pact. Ross held out hope that the United States House of Representatives woul reject the "fraudulent treaty" by refusing to appropriate the money, but his confidence was dashed there as well.[3]

The majority of the anti-treaty delegation had returned to the Cherokee Nation after the Senate vote, but Ross remained to observe the action of the House of Representatives and to work out a full statement of his objections to the New Echota pact. Written in the form of a letter to an unnamed, curious friend who had inquired why Ross's name was not attached to the treaty, Ross spoke to an audience of easterners who he believed were unaware of the impact of the treaty. Ross insisted that the agreement did not give advantages to the Cherokees which unwary easterners might imagine. In fact, Ross emphasized that because of the loose terminology in the pact the Cherokees might well find themselves in a similar predicament and be moved again at some later time. Of course, the treaty did not guarantee the Cherokees' permanent rights to the lands, but what further frightened Ross was the use of the phrase "such land shall revert to the United States." Ross saw in this a sinister maneuver to take the Cherokee lands in the West at a later time.[4]

In the address Ross also took up in some detail a recurring charge of his opponents. The pro-treaty faction assailed Ross and declared that he had no rights as a Cherokee because he had once accepted a reservation outside the Cherokee Nation with a view to becoming a United States citizen. The reservation was actually part of an inheritance from his great uncle that Ross had originally received in 1809. This inheritance and some adjacent 400 acres were assigned Ross in the Treaty of 1819 giving him the usual 640-acre plot. However this agreement provided that the intended reservee was to

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[3] John Ross et al. to the Senate, March 8, 1836, "Memorial and Protest of the Cherokee Nation," United States House of Representatives, 24th Congress, 1st Session, *Document 286* (Washington: Blair and Rives, 1836), p. 31, *passim*; Robert A. Rutland, "Political Background of the Cherokee Treaty of New Echota," *The Chronicles of Oklahoma*, Vol. XXVII, No. 4 (Winter, 1949–1950), pp. 405–406; Ross to George Lowrey, May 26, 1836, "Report from the Secretary of War . . . in Relation to the Cherokee Treaty of 1835," United States Senate, 25th Congress, 2nd Session, *Document 120* (Washington: Blair and Rives, 1838), pp. 679–680.

[4] *Ibid.*; John Ross, *Letter from John Ross . . . in Answer to Inquiries from a Friend Regarding the Cherokee Affairs with the United States* (n.p., 1836), pp. 4–6.

give notice that he planned to reside on his reservation. Although Ross gave such notice, he never lived on the land and never left the Cherokee Nation. In accordance with the discussions in Washington over the Treaty of 1819, the Cherokee delegates distinctly understood that "the reservee might either live on such estate, or move elsewhere and leave it for his benefit as he should think proper." Ross also contended that he had never contemplated taking United States citizenship. Nonetheless, Ross's critics would raise this point from time-to-time, hoping to embarrass the chief.[5]

Under provisions of the Treaty of New Echota, a committee was to evaluate Cherokee property in order for the Federal government to pay claims to emigrating Indians. Among the Cherokees, land was common property, while improvements belonged to the individual. Though Ross was included in the treaty as a member of this committee, he never served, and the group was composed of Treaty party men. Ross's properties were one of the early claims evaluated, and though he had probably not intended that his improvements at Red Hill, within the limits of Tennessee, and Head of Coosa, within the limits of Georgia, be appraised, one of the chief's anxious overseers permitted the valuation. Ross's opponents saw this as a subtle acceptance by the chief of the inevitable execution of the treaty. Some even charged that by this act Ross had fully assented to the treaty. Ross's property valuations at Red Hill and Head of Coosa came to $23,665.75, making him one of the five wealthiest men in the Cherokee Nation, a distinction he shared with his brother, Lewis Ross, and his old friend, Major Ridge, who was now his most vigorous opponent.[6]

Ross found the avenues for collecting his claim strewn with obstacles. He made the request for the money owed him when in Washington in July, 1840. Careful that his request not be construed as a final settlement for his claim or as an indemnity for removal damages, Ross insisted that this payment should in no way be viewed as a recognition of the Treaty of New

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[5] *Ibid.*, pp. 10–11; Last Will of William Shorey, April, 1809, Records of the Cherokee Indian Agency in Tennessee, Office of Indian Affairs, National Archives, Washington, D.C.; Survey of Ross's Reservation, September 15, 1819, Special File 131, Office of Indian Affairs; Charles Hicks to John C. Calhoun, Letters Received by the Secretary of War, Indian Affairs, National Archives, Washington, D.C.

[6] C. A. Harris to Benjamin Currey, July 25, 1836, "Report from the Secretary of War," United States Senate, 25th Congress, 3rd Session, *Document 277* (Washington: Blair and Rives, 1839), pp. 88–90; Ross to T. Hartley Crawford, July 10, 1840, Cherokee Agency Letters Received, Office of Indian Affairs; Elias Boudinot to Ross, November 25, 1836, "Documents in Relation to the Validity of the Cherokee Treaty of 1835," United States Senate, 25th Congress, 2nd Session, *Document 121* (Washington: Blair and Rives, 1838), pp. 40–41; Valuations of Ross's Properties, September 21, 1836, Special File 75, Office of Indian Affairs; Various Cherokee Valuations, undated, "Report from the Secretary of War," United States Senate, 25th Congress, 3rd Session, *Document 277, passim.*

Joel R. Poinsett, who as Secretary of War opposed Ross's efforts to obtain any supplemental funds for removal

Echota. When Ross applied to the United States Treasury for payment, he was surprised that the claim had been reduced by $342.56½ because of some undetermined debts of which he knew nothing. He was even more surprised when he learned that the commissioner of Indian affairs perceived his request a "protest" and "objectionable in tone," and had withdrawn the requisition. Ross had wanted to make certain that by accepting some payment at that time he would not damage his rights to a future claim, as he thought his property worth more than double the award. However, Ross needed the money and withdrew the so-called "protest." The money was paid, but the reduction remained, and he received $23,323.18½, which he used in part to pay the expenses of the delegation with him in Washington. No evidence exists to show that Ross ever received the balance of his

claim, nor any other money on his properties, or that he even attempted to obtain any further payments.[7]

Ross spent the two years between the enactment of the removal treaty and its date of execution striving tirelessly to abort or modify its provisions. In May, 1838, Ross was in Washington pleading his countrymen's fate and at that time sent a proposed treaty to Secretary of War Joel R. Poinsett to replace the distasteful Treaty of New Echota. It called for the relinquishment of all Cherokee lands east of the Mississippi River and a self-executed removal within a two-year extension period. The United States was to agree to "perfect the title of the Cherokee Nation" to the western lands and to allow the acknowledged chiefs to have complete control and distribution of the anticipated funds. The Federal government also would pay arrears from former treaties and would make additional payments for claims and damages above the $600,000 allocated in the 1835 treaty. The monetary increases were merely blank spaces in the proposed pact, as any such demands would necessitate considerable negotiations. Poinsett gave a point-by-point reply to this proposal. He envisioned an important concession, for he assured the delegation that an additional two years for removal could be obtained. Opposing any supplemental funds for removal, Poinsett promised that the government would be liberal in providing money owed the Cherokees, whether from past due or newly filed claims. Although Ross and the delegates were dissatisfied because the payment would not be increased, they were heartened by the two-year extension promise.[8]

Upon hearing of these negotiations, the Senate demanded an account of any discussions which would modify the Treaty of New Echota. Because the monetary propositions were unstated, Poinsett could furnish no specific amounts; however, Ross was willing to provide the Senate with such amounts. In a detailed memorandum to the Senate Committee on Indian Affairs, Ross made rough estimates of the costs of public lands, private improvements, removal and subsistance for one year in the West which totaled altogether more than $13,000,000. The committee refused even to view these proposals as they were not presented by the executive branch or requested by the Senate. At this point Poinsett responded with a statement of additional allowances for the Cherokee removal, amounting to

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[7] Ross to Crawford, July 10, 13 and 16, 1840, Cherokee Agency Letters Received, Office of Indian Affairs; Crawford to Ross, July 15 and 17, 1840, Letters Sent, Office of Indian Affairs; Ross to the Cherokee National Council, October, 1840, "Removal of the Cherokee West of the Mississippi," United States House of Representatives, 27th Congress, 2nd Session, *Report 1098* (Washington: no imprint, 1842), p. 45.

[8] Joel R. Poinsett to Ross et al., May 18, 1838, "Cherokee Indians," United States House of Representatives, 25th Congress, 2nd Session, *Executive Document 376* (Washington: Thomas Allen, 1838), pp. 2–4.

$1,047,067 plus an additional $100,000 for contingencies and $33,333.30 for annuities. These sums were appropriated in part by Congress in June, 1838, raising the total amount allowed for removal to $6,647,067. The Senate rejected, however, any extension of time for removal. The delegates, believing they had accomplished as much as possible in remodeling the Treaty of New Echota, prepared to leave Washington in mid-June. Furthermore, news of military maneuvers and the forced migration of the Cherokees heightened the urgency to return home.[9]

Ross arrived in the Cherokee Nation in mid-July, 1838, and was appointed by a general council of the tribe to take responsibility of the removal process. Major General Winfield Scott, the officer in charge of Cherokee migration, accepted Ross's leadership and permitted a delay in removal so Ross could reorganize his scattered brethren. Ross, as superintendent for removal, made his first estimate of expenses at the end of July. Measuring the distance of travel at 800 miles and contemplating 80 days for the journey, Ross asked $65.88 per person to cover the cost of teams, wagons, rations, conductors, physicians and necessary purchases overland. Scott thought the estimate extravagant and asked that several of the expenses be reconsidered. Upon reconsideration, Ross and the committee created to advise on removal found that instead of lowering the sum, they actually needed to raise the amount, as they had neglected to add certain incidental costs. Scott reluctantly accepted these calculations. Before Ross took control of the general emigration of the Cherokees, the $600,000 set aside in the New Echota treaty had been exhausted, and now the monies used for the balance of the removal would be taken from the additional allowance of $1,047,067 made by Congress in June, 1838.[10]

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[9] Poinsett to R. M. Johnson, May 25, 1838, "Cherokee Indians," United States House of Representatives, 25th Congress, 2nd Session, *Document 461* (Washington: Blair and Rives, 1838), unpaged; Ross to Hugh L. White, May 28, 1838, White to Ross, May 28, 1838, and "Memorandum of Estimates regarding the Removal of the Cherokee Nation," undated [May, 1838?], Samuel L. Southard Papers, Princeton University Library, Princeton, New Jersey; Poinsett to James K. Polk, May 25, 1838, "Removal of Cherokees," United States House of Representatives, 25th Congress, 2nd Session, *Executive Document 401* (Washington: Thomas Allen, 1838), unpaged; Report of J. A. Slade and J. T. Bender, April 28, 1894, "Moneys Due the Cherokee Nation," United States House of Representatives, 53rd Congress, 3rd Session, *Executive Document 182* (Washington: Government Printing Office, 1895), pp. 9–10, 17.

[10] Resolution of the Cherokee General Council, July 21, 1838, "Memorial—Indians—Cherokee Delegation," United States House of Representatives, 26th Congress, 1st Session, *Document 129* (Washington: Blair and Rives, 1840), p. 34; Ross et al. to Winfield Scott, July 31 and August 2, 1838, and Scott to Ross et al., August 1 and 2, 1838, "Report of the Commissioner of Indian Affairs, 1838," United States Senate, 25th Congress, 3rd Session, *Document 1* (Washington: Blair and Rives, 1839), pp. 463–466; Report of Slade and Bender, April 28, 1894, "Moneys Due to Cherokee Nation," United States House of Representatives, 53rd Congress, 3rd Session, *Executive Document 182*, p. 9.

The removal committee appointed Lewis Ross to manage the complex financial arrangements for such an undertaking, and gave him specific instructions pertaining to prices for removal commodities. The whole arrangement infuriated the swarm of officeholders and contract-seekers whose anticipated profits had vanished. Indeed, several disgruntled whites who had supplied the Cherokees up to that time offered Lewis Ross $40,000 to let them have the contract to supply the Cherokee removal. The contract with the chief's brother was made without the knowledge of Scott, but he quickly learned of the transaction from members of the treaty faction who still remained in the East. They insisted that Lewis Ross would make an enormous profit of nearly $180,000, and hoped that the contract would be let to the lowest bidder among several available contractors stationed nearby. Scott, who had thought the earlier estimates were only rough calculations and had actually anticipated lower costs, hesitantly agreed with the Treaty party.[11]

The committee members replied to these charges in the most assertive terms. No public notice was given for the contracts, as they saw no advantage in such a method for the Cherokees. They considered the "health and comfort" of the tribe more important than saving a few dollars, and stressed to Scott that the estimate had been made by experienced men from the best data available. Ross and other members of the committee believed that most of the protests came from disappointed white men who sought lucrative contracts or from Cherokees who were not concerned with saving money but were anxious to embarrass the anti-removal faction. Thus, the contract remained in the hands of Lewis Ross.[12]

Scott had suspended further emigration in June because of the drought that continued well into October and parched the region. There had been some talk of using the water routes for the remaining Cherokees, but the Tennessee River was so low as to be nearly impassable, and it was still falling in September. Likewise land routes were not feasible until cooler weather and rains appeared, for throughout the area there was a scarcity of good drinking water. Not only was removal delayed, but the dragging days had a debilitating effect on the Cherokees interned in camps established by the army. These conditions would become more apparent on the trail

[11] Agreement between Removal Committee and Lewis Ross, August 10, 1838, Special File 31, Office of Indian Affairs; N. A. Bryan et al. to Lewis Ross and John McGhee, August 18, 1838, and Lewis Ross to Bryan et al., August 18, 1838, Cherokee Emigration Letters Received, Office of Indian Affairs; John A. Bell et al. to Scott, August 20, 1838, and Scott to Ross et al., August 22, 1838, "Removal of the Cherokees West of the Mississippi," United States House of Representatives, 27th Congress, 2nd Session, *Report 1098*, pp. 31–38.

[12] Ross et al. to Scott, August 25, 1838, Cherokee Emigration Letters Received, Office of Indian Affairs.

President James K. Polk, whose announcement to divide the Cherokee Nation prompted both Ross's supporters and the Treaty party to attempt to end their differences by the Cherokee Treaty of 1846

when lethargy, illness and death invaded the emigrating parties. By the time the Cherokees were ready to move again in late September, Ross had organized the tribe into 13 detachments of approximately 1,000 persons each. A conductor and an assistant were over each group which also counted a physician, an interpreter, a wagon master and a commissary agent.[13]

The sad fate of the cheerless travelers on the "Trail of Tears" has been chronicled elsewhere, and present generations have but a slight sense of the suffering involved. Some put the death toll at 1,600; when added to the number who fell victim to the harsh encampments before removal and the

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[13] Remarks of General Scott, June 17, 1841, "Removal of the Cherokees West of the Mississippi," United States House of Representatives, 27th Congress, 2nd Session, *Report 1098*, pp. 27–28; Ross's Certificates of Detachment Expenses, [May 18, 1840?], "Removal of the Cherokees," United States House of Representatives, 27th Congress, 3rd Session, *Report 288* (Washington: no imprint, 1843), pp. 57–70.

many who succumbed to the distressing circumstances after arrival, nearly 4,000 Cherokees, or one-fourth of the tribe, were lost in the process.[14]

Disputes over the cost of removal elicited at least as much controversy as the heavily debated Treaty of New Echota. The fund of $1,047,067 established by Congress in June, 1838, had been based on moving the tribe at $30.00 per person. This figure had proved entirely unrealistic, as those members of the Treaty party who moved west shortly before the mass migration under Ross had required about $61.70 per individual. Furthermore, the actual cost under Ross was even greater than the $65.88 he had initially estimated, for rather than 80 days the trip took an average of 125 days, and the cost was slightly over $103.25 per person.[15]

Initiating the controversy, Ross presented federal officials his claims in May, 1840. Ross stated that expenses for the 13 detachments were $1,263,338.48¼, to which he added two other claims, one for the requisition on Scott which had not been honored and the other an omitted item in that requisition which brought the total claim to $1,357,745.86½. A portion of this amount had been received by Ross prior to his departure for the West, so that the balance due the Cherokee Nation was $581,346.88½.[16]

These claims were not readily accepted by the administration of President Martin Van Buren. T. Hartley Crawford, the commissioner of Indian affairs, presented an elaborate document that stripped the claims of alleged excesses. At the outset Crawford disallowed the unpaid requisition and the smaller omitted item which amounted to $94,407.38. The actual claimant for the omitted item was Lewis Ross, as he had supplied the Cherokees before they began their march. Crawford simply stated "with him General Scott had nothing to do, nor have the United States now . . . whatever rations, Mr. L. Ross issued, they were delivered without authority." Chief Ross contended that it was not the fault of the Cherokees that the long drought had caused delays of more than thirty days before the march began. However, Crawford reasoned that the question of payment for those items hinged on whether Lewis Ross had received a fair return for his services. The

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[14] Grant Foreman, *Indian Removal: The Emigration of the Five Civilized Tribes of Indians* (Norman: University of Oklahoma Press, 1953), pp. 310–312.

[15] Report of Slade and Bender, April 28, 1894, "Moneys Due the Cherokee Nation," United States House of Representatives, 53rd Congress, 3rd Session, *Executive Document 182*, pp. 9–10. The 125 days as given for the average time of emigration by the 13 parties was not based on actual movement, but from the date a party was organized with its conductor and other leaders until the detachment reached the Cherokee Nation in the West. The actual time on the road is undetermined.

[16] Ross to Scott, November 9, 1838, John Ross Papers, Thomas Gilcrease Institute of American History and Art, Tulsa, Oklahoma; Ross's Certificates of Detachment Expenses [May 18, 1840?], "Removal of the Cherokees," United States House of Representatives, 27th Congress, 3rd Session, *Report 288*, p. 56.

commissioner was generally satisfied that Lewis Ross already had made lucrative gains and noted that of the sixteen cents per day allowed for rations, only seven and one-half to nine cents were actually used. Likewise, the horse ration of forty cents exceeded the twenty-five and one-half cents actually spent. In short, he rejected these claims, and the controversy revolved around the remaining claim of $468,939.50.[17]

Crawford discovered a number of objectionable features in this application—the most obvious being discrepancies in the number of Cherokees in each party. There were three counts for each of the thirteen detachments. Ross submitted one count, the disbursing agent another and the receiving agent in the West a third. In only one case was Ross's number lower than the disbursing agent, and in every case his was higher than that of the receiving agent, which can only partly be accounted for by deaths and defections. Crawford discounted the minor variances due to death or desertion and merely recorded the differences between Ross's figures and the receiving agent's count, a difference which varied from 52 to 455 persons per detachment for a total difference of 1,633 persons. According to Crawford's estimate, this discrepancy in the number actually removed, converted into funds, amounted to $107,571.94 which the commissioner believed should not be paid. By using these same figures, Crawford also cut the number of wagons and the amount dispensed on horse rations; this overcharge he computed at $96,705.04. As the wagons were never returned, he deducted another $180,600 for a total reduction of $384,876.98. The commissioner surmised that given the time and necessary vouchers he could find additional reductions, and recommended rejection of the entire claim, $486,939.50.[18]

Ross appealed to Secretary of War Poinsett, who supported Crawford's decision. The case was then brought before President Van Buren, who was willing to have the lesser amount owed Lewis Ross examined and, if Scott would certify that the delays grew out of his orders, the President would consider payment. On the larger sum of nearly $500,000 the President believed differently. He considered the agreement between Scott and the Cherokees a contract for a specific sum—emigration at $65.88 per person—and, as that sum had been paid, no further money should be allotted. At this point the Cherokee Nation employed Matthew St. Clair Clark, sometime clerk for the House of Representatives, as its legal counsel to adjudicate its claims against the United States. Taking Van Buren's suggestions, he gathered testimony from Scott in reference to the lesser claim. While conceding that several detachments were delayed with his approval, as it was

[17] Crawford to Poinsett, August 8, 1840, *ibid.*, pp. 12–17.
[18] *Ibid.*, pp. 17–24.

Map showing the vast Cherokee holdings in the East, of which the sale of the last portion by the Treaty of New Echota prompted the controversy over Cherokee removal finances

impossible to find sufficient water on the road, Scott also noted that after sufficient water was available, the parties were dilatory in their movements. In a self-justifying statement, Scott later declared "but for the drought, I would have quashed the contract with Lewis Ross as extravagant, and the renewed movement, beginning with September, would have escaped ice, snow, and bad roads, and been ended in eighty days, by each detachment." A further appeal to the President brought identical results: disapproval of the larger claim and indecision on the lesser.[19]

[19] Martin Van Buren's Statement, September 2, 1840, Matthew St. Clair Clarke to Scott, November 3, 1840, Statement of Scott, June 17, 1841, Clarke to Van Buren, January 7, 1841, "Removal of the Cherokees," United States House of Representatives, 27th Congress, 3rd Session, *Report 288*, pp. 24–26, 32–35, 37.

Van Buren lost the bid for the Presidency in 1840, and the new Whig administration, which took office in 1841, was much more conciliatory to Cherokee demands. In the spring of 1841, shortly after his elevation to the Presidency, John Tyler ordered a reexamination of the Cherokee case. Further testimony was taken from Scott, who believed that a portion of the sum for Lewis Ross was justly due, but also thought that a number of issues were charged to "swell the profits" of the chief's brother. "Indeed," the skeptical general stated, "the more I look back upon the correspondence, and all the circumstances of the time, the more suspicions gains [sic] upon me." Yet, he thought that Lewis Ross was entitled to some refunds as all the wagon teams and emigrants had to be fed for several weeks before the commencement of removal on October 1. As to the larger amount of money requested by Ross, Scott attributed the delays partially to the Cherokees who, he said, "are proverbially dilatory in their migrations, even when entirely voluntary." Nevertheless, he ascribed delays to the cold weather, snow, ice and the resulting bad roads rather than to "any connivance on the part of John or Lewis Ross." Consequently, he suggested that the sums be paid in whole, or at least what seemed just to Lewis Ross, with the remainder being referred to a board of commissioners.[20]

The reassessment virtually assured the Cherokees of their requests, and in August and September, 1841, the entire claim of 581,346.88 was paid to Ross and the Cherokee delegates in Washington at that time. Referring to the payment, two impartial federal investigators observed more than a half-century later that, "If the emigration had been undertaken under the conduct of the United States Army it would not only have involved a very great expense for military escort, but the emigrants would necessarily have to be kept under very strict guard to avoid desertion. Even under the voluntary emigration the desertions ranged from 1 to 18 per cent." After a lengthy investigation, they concluded that, "It cannot reasonably be claimed that the expense of removal was seriously exaggerated . . . removal was accomplished with . . . much less expense to the United States than if it had been involuntary, under the direction of Gen. Scott."[21]

Ross, as superintendent for removal, used the $486,939.50 received from the Tyler administration, exclusive of $94,407.38 paid Lewis Ross, for debts

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[20] Report of the Committee on Indian Affairs, March 2, 1843, John Tyler to Ross et al., September 20, 1841, Statement of Scott, June 17, 1841, *ibid.*, pp. 2, 36–40, 49–50.

[21] Decision of Secretary John Ball, September 6, 1841, *ibid.*, pp. 27–31; Report of Slade and Bender, April 28, 1894, "Moneys Due the Cherokee Nation," United States House of Representatives, 53rd Congress, 3rd Session, *Executive Document 182*, p. 11; Statement of the Second Auditor, August 18, 1842, "Removal of the Cherokees West of the Mississippi," United States House of Representatives, 27th Congress, 2nd Session, *Report 1098*, p. 70.

owed for emigration purposes. Ross distributed the money during the period between his return from Washington in December, 1841, and his departure for the capital city again the following April; however, it was not sufficient time to complete all the necessary transactions. The Cherokees began to grow apprehensive about the money promised them by the United States for a per capita distribution. Understanding that Ross had made this settlement, one group demanded an accounting of Cherokee funds which Ross possessed in December, 1842. Ross had only just returned to the Cherokee Nation, and disbursements on the money claims were still unfinished.[22]

The following year, in his annual message, Ross promised a full account of the money. Thus, in an extended Cherokee meeting in 1843, Ross turned over to the nation $125,000 saved from the employment of wagons and teams. These savings had grown out of provisions in the agreement between Scott and Ross which allowed sums to be paid for the return of wagons and teams. As a good many of these items belonged to Cherokees or were bought outright, there was no need to return many of them, and the consequent savings were used by Ross to employ extra physicians and otherwise provide for Cherokee comforts. Purchased wagons had been sold to the highest bidder, and the proceeds Ross had placed in Cherokee funds, but it seems that this transaction counted for little or nothing, because the wagons brought a poor price in the West.[23]

A source of irritation among the Cherokees, particularly opponents of Ross, was the action of the Federal government in subtracting the $581,346.88½ payment from the "five million fund." The $5,000,000 origi-

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22 Testimony of Samuel C. Stambaugh, [1842?], and Ross's Annual Message, October, 1840, *ibid.*, pp. 53, 46; Testimonies of Gideon Morgan, January 1, 1841, R. E. Clements, August 6, 1842, Gideon F. Morris, [1842?], and J. K. Rodgers, February 24, 1843, "Removal of the Chrokees," United States House of Representatives, 27th Congress, 3rd Session, *Report 288*, pp. 40–49, 70.

23 *Parks vs. Ross* (11 Howard 362); Ross's Annual Message, October 3, 1843, John Ross Papers, Thomas Gilcrease Institute of American History and Art; Ross to the Cherokee Committee and Council, December 20, 1842, "Cherokee Disturbances," United States House of Representatives, 29th Congress, 1st Session, *Document 185* (Washington: Wendell and Van Benthuysen, 1848), pp. 106–108; Cherokee Nation, *The Constitution and Laws of the Cherokee Nation: Passed at Tahlequah, Cherokee Nation, 1839–51* (Tahlequah: Cherokee Advocate Office, 1852), pp. 75–76, 106. Ross overpaid $24,427.98 in the $125,000 settlement, all but $1,500 of which he claimed personally. Ross requested that the amount be returned after a final settlement was determined. It seems that Ross never was repaid this amount. See "The Cherokee Nation in account with John Ross Superintending Agent of Cher. Removal," [1845?], and affidavit of James Brown, November 2, 1858, John Ross Papers, Thomas Gilcrease Institute of American History and Art; and Ross to the National Council, October 25, 1861, John Ross Papers, Indian Archives Division, Oklahoma Historical Society, Oklahoma City, Oklahoma.

nally had been established in the Treaty of New Echota to cover the cost of removal and subsistence of the tribe for one year thereafter; to pay for improvements, ferries and damages; and to settle additional debts and claims upon the Cherokee Nation. But Congress appropriated additional sums to cover all these costs with the exception of removal and subsistence. The reason for Cherokee bitterness was the provision that all money left after those payments was to be distributed on a per capita basis. The tremendous cost of removal, greatly augmented by the settlement with Ross, had cut deeply into the "five million fund."[24]

Certainly profit was made in the Cherokee removal, but by whom and how much is largely indeterminable. Ross and the committee who had charge of the entire removal process saw no reason for Cherokee money to pass into the hands of white contractors whose primary concern was making a profit. Turning to Lewis Ross, they thought the major consideration would be Cherokee health and comfort. From the outset Lewis Ross was accused of using his office for personal aggrandizement. Commissioner Crawford estimated that he realized a clear profit of between $105,000 and $150,000 from the contract. Lewis's brother-in-law, Thomas C. Hindman, served as a quartermaster and supposedly told one individual who was intimate with removal costs that he would receive $44,000 for his interest in the contract. Yet, a good deal of the alleged profit was literally eaten up by the emigrants as they crossed the drought-ridden "Trail of Tears." Each detachment discovered more scarce provisions and higher prices, while necessary delays served to drive the cost of removal higher. Nor were the provisions particularly palatable or healthful, a fact which often added to sickness and death.[25]

Evidence of greed was apparent throughout the trip. One quartermaster reported to Chief Ross that the merchants at Nashville, Tennessee, were charging exorbitant prices for goods and that they set the exchange rate for federal currency far below its actual value. In addition, ferry owners and toll road keepers frequently raised their prices. One detachment leader complained that, "On the Cumberland mountains they fleeced us, 73 cents a wagon and 12½ cents a horse without the least abatement or thanks." Thus, a portion of the supposed profits vanished into the hands of whites

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[24] Report of Slade and Bender, April 28, 1894, "Moneys Due the Cherokee Nation," United States House of Representatives, 53rd Congress, 3rd Session, *Executive Document 182*, pp. 7, 9–10, 19–20.

[25] Crawford to Poinsett, August 8, 1840, and Statement of Gideon F. Morris, [1842?], "Removal of the Cherokees," United States House of Representatives, 27th Congress, 3rd Session, *Report 288*, pp. 16, 44; Foreman, *Indian Removal: The Emigration of the Five Civilized Tribes of Indians*, pp. 295, 299, 302.

along the way. Nevertheless, Lewis Ross undoubtedly realized a substantial profit from the contract, but how much may never be known. Chief Ross may have shared in Lewis's gain, but he received no salary for his work as superintendent. Indeed Ross did not even accept his salary as chief throughout the 1830s. If Ross profited from the removal contracts, even his most vigorous detractors could never trace the funds to his pockets.[26]

Over the next decade and nearly into the next century, the question at issue between the United States and the Cherokee Nation was whether the expense of removal was properly chargeable to the "five million fund." Moreover, the reduction of the per capita payment lay at the heart of the bitter Cherokee feuds that ensued in the coming years.

Cherokee divisions of the 1840s involved three groups: the Western Cherokees or Old Settlers, who had migrated west before the Treaty of New Echota in 1835; the Treaty party, who promoted removal and signed the 1835 pact; and the Ross or anti-Treaty party. The Western Cherokees retained two able legal counselors, Samuel C. Stambaugh and Amos Kendall, who began a series of appeals to the secretary of war in October, 1845. Characterizing the history of the Cherokees since 1839, when Ross arrived in the West as a period of political usurpation and domestic strife, they depicted Ross as an "extraordinary man" whose "ruling passion is avarice." They dredged up the recurring charge that Ross could not even claim to be a Cherokee because of the paucity of Indian blood in his veins and because of his land settlement outside the Cherokee Nation under the Treaty of 1819. They also reviewed the financial arrangements Ross had made for removal and, not surprisingly, declared that he had profited enormously by plundering his people.[27]

When members of the Treaty party delegation reached Washington in March, 1846, they presented federal officials a series of petitions outlining their grievances, and exhibited an estimate of money due the Cherokees, a part of which they declared already had been despotically squandered by Ross. Based on a report made by the commissioner of Indian affairs in 1840, and originally issued in 1844, this presentation was now revived for a more sympathetic audience under the administration of President James K. Polk.

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[26] Thomas N. Clark, Jr. to Ross, November 15, 1838, Grant Foreman Collection, Thomas Gilcrease Institute of American History and Art, Tulsa, Oklahoma; Foreman, *Indian Removal*, p. 304; Report of Slade and Bender, April 28, 1894, "Moneys Due the Cherokee Nation," United States House of Representatives, 53rd Congress, 3rd Session, *Executive Document 182*, p. 11; Statement of Thomas C. Hindman, undated [1840?], John Ross Papers, Thomas Gilcrease Institute of American History and Art.

[27] Stambaugh and Kendall to William L. Marcy, October 4, November 1, November [?], December 26 and 30, 1845, and January 16, 1846, "Cherokee Disturbances," United States House of Representatives, 29th Congress, 1st Session, *Document 185*, pp. 19–73.

Counting the Cherokees as numbering over 16,000, and setting the cost of removal at $20.00 per person as stipulated in the New Echota guarantee, the Treaty party delegation determined that a balance of $2,475,734 was due the tribe. The 1835 pact promised any balance of monies would be paid on a per capita basis, and the Treaty party group calculated a sum of $147.86 was due each Cherokee. The settlement with Ross of over $500,000 in 1841 had eaten into the per capita fund considerably, and extensive payments by the Federal government to Cherokee creditors had taken well over $1,000,000 from the per capita distribution money. The treaty faction delegates protested these large reductions in the fund and demanded the per capita money.[28]

By the latter part of March, 1846, the Polk administration was moving toward a decision in accord with these two factions and refused to consider appeals from Ross and his followers. Beyond the monetary considerations, the anti-Ross factions were demanding a division of the nation and were working in tandem to achieve their ends. In April, President Polk submitted a message to Congress announcing his determination to divide the Cherokees, and Congress seemed amenable to this solution. All seemed in readiness for a political division of the Cherokee Nation.[29]

At this point Ross worked feverishly to forestall what appeared inevitable. Upon the suggestion of Cherokee Indian Superintendent William Armstrong, who seemed to be sympathetic with Ross's position, Polk appointed a committee to make a last attempt to mediate factional differences. During the month of July this committee hammered out an agreement among the parties which was suitable to all. Polk accepted their settlement and presented the document to the Senate which concurred and approved the agreement in August, 1846. The Treaty of 1846 had as a principal goal unity

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[28] George W. Adair et al. to William Medill, March, 1846, J. A. Bell and Ezekiel Starr to the Senate and House of Representatives, April 13, 1844, and "Argument in behalf of the treaty party of the Cherokees," [April or May?], 1844, *ibid.*, pp. 73–105, 116–149; Report of Slade and Bender, April 18, 1894, "Moneys Due the Cherokee Nation," United States House of Representatives, 53rd Congress, 3rd Session, *Document 182*, p. 18.

[29] Ross et al. to the Senate and House of Representatives, April 30, 1846, and Ross et al. to the President, April 11, 1846, "Memorial of John Ross and Others," United States Senate, 29th Congress 1st Session, *Document 331* (Washington: Ritchie and Heiss, 1846), pp. 1–19, 44–46; James K. Polk, *The Diary of James K. Polk During His Presidency, 1845 to 1849*, ed. by Milo Milton Quaife (4 vols., Chicago: A. C. McClurg and Company, 1910), Vol. I, pp. 301–302; Polk to the Senate and House of Representatives, April 13, 1846, "Cherokee Disturbances," United States House of Representatives, April 13, 1846, "Cherokee Disturbances," United States House of Representatives, 29th Congress, 1st Session, *Document 185*, pp. 1–19; Report of the Committee on Indian Affairs, June 2, 1846, "Cherokee Indians," United States House of Representatives, 29th Congress, 1st Session, *Report 683* (Washington: Ritchie and Heiss, 1846), pp. 1–5.

in the Cherokee Nation, and it heralded a new and pacific era in Cherokee politics. The tribe was prepared to achieve not only internal peace and unity, but also a long awaited financial stability. The Cherokees anticipated a lucrative per capita payment and hoped that monetary arrangements in the new treaty would end their pecuniary problems.[30]

But there was no rush on the part of the Federal government to reimburse the Cherokees for unjust deductions from the "five million fund," and after an extensive examination of Cherokee accounts and vouchers in 1849, United States Treasury auditors determined that $627,603.95 was due the Cherokees for a per capita distribution. Congress made two additional appropriations in September, 1850, and in February, 1851, which brought the total amount for distribution to $914,026.13. The sums finally allotted, which included another addition of nearly $600,000, amounted to $92.79 for each Cherokee—hardly the largess which had been expected.[31]

Following the per capita allotments, Ross continued to refer to the payment as "partial." Indeed, the Cherokees generally protested that the payments were not nearly as large as they should have been under the treaty provisions. As Congress had decided that the certain items were not properly chargeable to the "five million fund," the Cherokees believed that the additional costs of removal under Ross were not proper deductions. Ross had questioned this apparent inconsistency a number of times, and it had been the basis for Treaty party complaints in 1846, but the protest received little attention during Ross's lifetime. Nearly a half-century later United States auditors concluded that the Cherokee claim was just and recommended a payment of over $1,000,000 due the tribe from the Treaty of 1835. This sum, plus interest, was ultimately paid the Cherokees in 1906, thus finally settling all claims for monies due the Cherokees under the Treaty of New Echota.[32]

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30 Ross et al. to Armstrong, June 16, 1846, Adair et al. to William Armstrong, June 17, 1846, Armstrong to Medill, June 23, 1846, Armstrong et al. to Polk, July 8, 1846, and Ross et al. to Armstrong et al., July 8, 1846, Cherokee Agency Letters Received, Office of Indian Affairs; Kappler, ed. and comp., *Indian Affairs: Laws and Treaties*, Vol. II, pp. 561–565.

31 A. K. Parris and P. Clayton to the President of the Senate, December 3, 1849, "Report of the Second Comptroller and Second Auditor of the Treasury," United States Senate, 31st Congress, 1st Session, *Executive Document 6* (Washington: William M. Belt, 1850), pp. 1–4; Report of Slade and Bender, April 28, 1894, "Moneys Due the Cherokee Nation," United States House of Representatives, 53rd Congress, 3rd Session, *Document 182*, pp. 12–13, 13 n. 2, 21–22.

32 Ross's Annual Message, October 4, 1852, in *Cherokee Advocate* (Tahlequah), October 27, 1852; Protest of the Cherokee National Council, November 29, 1851, John Ross Papers, Thomas Gilcrease Institute of American History and Art; Report of Slade and Bender, April 28, 1894, "Moneys Due the Cherokee Nation," United States House of Representatives, 53rd Congress, 3rd Session, *Document 182*, pp. 22–23, 29–32; Senate and House Appropriations, June 30, 1906, "Judgments, Court of Claims," United States Government, *Statutes at Large*,

Throughout the post-removal period, Ross's opponents charged that he had merely delayed migration to obtain a better monetary bargain and to fill his own pockets. Certainly the worth of the Cherokee lands far exceeded the initial price offered by the Federal government, and subsequent increases did not meet its actual value. Furthermore, from long experience, Ross had learned that the Federal government found no great urgency to make payments under treaties with the Cherokees.

The majority of Cherokees demonstrated confidence in Ross's handling of national funds by regularly returning him to the highest Cherokee office. However, the Cherokees were not so backward that they did not understand the financial arrangements made, and for many years Ross faced a ready opposition anxious to prove his misapplication of Cherokee funds. Indeed, he had to answer recurring charges that he used the privileges of his office for personal gain. These accusations usually came at periods when new arrangements were hoped for or in progress—times when it could be expected that his rivals would take extreme positions to further their own cause. Furthermore, reimbursements made by the Federal government to the Chrokees in later years seem to have justified Ross's positions. No conclusive evidence exists to tie Ross to any personal plundering of Cherokee funds, nor can reasonable judgement find points for substantial criticism.

(multi-vols., Washington: Government Printing Office, 1848 to present), Vol. XXXIV, Part 1, p. 664.

THE AFRIKA KORPS IN OKLAHOMA: FORT RENO'S PRISONER OF WAR COMPOUND

*By Terry Paul Wilson**

Hans Seifert
Sgt.
German
October 9, 1945

Otto Chlebeck
Major
German
November 24, 1944

Terse epitaphs to mark the passing of men's lives. The two soldiers' tombstones, together with sixty-eight others, bearing equally brief inscriptions, form two facing rows in Fort Reno's military cemetery. Each year a few hundred tourists stray off the nearby highway, and follow directional signs to a slight rise amid rolling plains where the government gravesite is located. Entering the main gate, visitors scrutinize the faded and weathered markers commemorating the glory years when Fort Reno served as a cavalry remount station and sometime headquarters of Lieutenant General Philip Sheridan. The curious climb a stairway built across a waist-high masonry wall and doubtlessly ponder the possible origins of the seventy officers and enlisted men buried there.[1]

Discreetly separated from the American dead, their gravestones stand as mute reminders of an almost forgotten aspect of Oklahoma's and the nation's World War II history. Fort Reno was one of eight state sites, chosen in 1943, to confine captured members of America's Axis enemies.[2] The United States and its Allies' initial victories over Hitler's *Wehrmacht* provided the majority of inmates for these, and over 400 similar prisoner of

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[1] The military cemetery is located approximately five miles west of El Reno, Oklahoma, on the grounds of the Fort Reno government reservation. The remaining acres of this once active post are presently utilized as an experimental station under the Department of Agriculture's direction. However, not all of the graves represent the dead from the Fort Reno compound as bodies were shipped from several prisoner of war camps for burial at the post cemetery.

[2] Fort Sill near Lawton, Oklahoma, and Fort Reno were the largest of the eight compounds which included others located at Tonkawa, Chickasha, Alva, Tipton, Okmulgee and Camp Gruber at Muskogee. Arrell M. Gibson, *Oklahoma: A History of Five Centuries* (Norman: Harlow Publishing Company, 1965), p. 389.

Prisoner of war graves at Fort Reno, Oklahoma

war camps, located across the country. This transferral of prisoners of war across the Atlantic Ocean for internment marked an important concept in the thinking of Allied leadership, and before the war's end the captives unwittingly helped solve basic problems involved with winning a global conflict. The roles played by Fort Reno's German prisoners, their jailors and townspeople of nearby El Reno, Oklahoma, formed a microcosm of the larger nationwide homefront activities. These included the utilization of prisoners of war for war industry and agricultural production; an economic strategy that proved profitable, but perplexing, as it entailed changes in international law, escapes by prisoners and frequently adverse civilian reactions to the close juxtaposition of enemy aliens.

El Reno citizens first learned of plans for building the Fort Reno prisoner compound from their local newspapers in early January, 1943. One hundred acres of the post's area had been designated for a camp equipped to incarcerate as many as 2,400 prisoners of war. Local contractors and engineers were delighted to read that the camp's construction would require civilian labor, and the initial building proceeded rapidly in an attempt to finish the $500,000 project by the middle of March.[3] Labor shortages plus a fire, which

[3] *El Reno American* (El Reno), January 7, 1943.

demolished a newly erected prison mess hall on March 4, slowed, but failed to halt construction activity.[4]

As events progressed, ample time remained to complete all preparations; however, guards for the expected prisoners did not arrive until July. The 435th Military Police company detrained at Fort Reno fresh from special prison training in Michigan. First Lieutenant Metro Salamato commanded the guard detachment of 2 additional officers and 130 enlisted men. A Fort Reno news release indicated that the prison compound and guards had been readied originally to handle captured Japanese; however, recent Allied victories in North Africa reversed that decision.[5] British and American troops culminated a five-month campaign, ending in May, 1943, with the capture of more than 250,000 German troops defending northeastern Tunisia. While terminating the last vestige of Adolf Hitler's control in Africa, this success also tarnished the escutcheon of the *Fuhrer's* favorite, Lieutenant General Erwin Rommel. The "Desert Fox" escaped the trap personally, but left his much respected *Afrika Korps* to furnish America's prison stockades with their first inhabitants.[6]

On July 8, 1943, the *El Reno American* headlined the arrival of the "FIRST BATCH OF HUN CAPTIVES"—the *Afrika Korps* had come to Oklahoma.[7] Eventually over 340,000 German troops, the majority from Rommel's once all-conquering command, were transported to the United States. Joined by 51,000 Italian and 2,240 Japanese prisoners, they added new dimensions to wartime economic strategy and reinterpretations of international law.[8] In previous conflicts captives had constituted a burden for their captors, which according to international custom, were responsible for providing their food, shelter, clothing and medical attention.[9] Contrastingly, during World War II, both the Axis and the Allies welcomed the potential labor supply represented by the enemy prisoners. The Geneva Convention of 1929, governing the treatment of prisoners of war specified that they

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[4] *Ibid.*, January 14, 1943, January 21, 1943 and March 4, 1943.

[5] *Ibid.*, July 1, 1943.

[6] A. Russell Buchanan, *The United States and World War II* (2 vols., New York: Harper and Row, Publishers, 1964), Vol. I, pp. 160–162.

[7] *El Reno American*, July 8, 1943.

[8] United States House of Representatives, Special Committee on Prisoners of War, "Investigations of the National War Effort, April 26, 1945," 79th Congress, 1st Session (Washington: Government Printing Office, 1945), p. 2. The relatively small number of Japanese prisoners was attributed to their preference for fighting to the end or committing suicide in lieu of capture. United States Congress, House of Representatives, Committee on Military Affairs, "Investigations of the National War Effort, November 30, 1944," 78th Congress, 2nd Session (Washington: Government Printing Office, 1944), p. 1.

[9] William E. S. Flory, *Prisoners of War: A Study in the Development of International Law* (Washington: American Council on Public Affairs, 1942), p. 39.

could be required to work for the benefit of the detaining power. Rather than simply removing an adversary from future battlefields, captor nations could, and did, replace labor shortages with captives. If international law in 1929 failed to fully contemplate the exigencies of war in 1943, national policy-makers quickly bridged the gap between statute and practice. According to the Geneva Convention, the prisoners' hours and working conditions were firmly established; even nominal wages, payable on the date of repatriation, were stipulated. Nevertheless, the captive's ultimate fate depended on the extent to which the standards of the interning country had been lowered by the war's progress. As a national labor organ noted in May, 1943, "Apart from the international measures," the prisoner "has no legal protection at all."[10]

This pronouncement seemed particularly relevant to American officialdom responsible for meeting war production requirements. The draft had drained the nation's manpower pool and prospects for filling production quotas appeared dim. By 1942, the Federal government already recruited workers from Mexico, Jamaica and the Bahamas to supplement dwindling farm labor sources.[11] A draft exemption for essential farm workers was ordered in March, 1943, but really came too late for most farming communities' needs. The Secretary of Agriculture, Claud R. Wickard, while applauding these efforts, still feared "the outlook for 1943 is critical."[12]

The editor of the *El Reno American* echoed the cabinet member's concern, and blamed "Washington bureaucratic stupidity" for tardiness in establishing the draft exemption for farmers and thus creating a critical shortage.[13] As a farming community, El Reno eagerly anticipated the first shipments of German prisoners; however, disappointment and dissatisfaction soon followed. Local farmers seeking help for the fall harvest quickly found themselves befuddled in a morass of governmental red tape. Negotiations between the War Department and the War Manpower Commission had resulted in a strict procedural arrangement regarding the use of prisoners of war. Three priorities of work were determined. Military establishments retained a first claim to this labor legacy for "essential work" on posts. After satisfying these needs, the army agreed to contract remaining prisoners in groups for industrial and agricultural pursuits. Any captives left un-

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10 "Conditions of Employment of Prisoners of War," *Monthy Labor Review*, Vol. LVI, No. 5 (May, 1943), pp. 891, 895.

11 Walter W. Wilcox, *The Farmer in the Second World War* (Ames, Iowa: Iowa State College Press, 1947), pp. 93, 95.

12 David Hinshaw, *The Home Front* (New York: G. P. Putnam's Sons), pp. 244–246.

13 *El Reno American*, April 1, 1943.

Hoards of German prisoners of war, many of which were shipped to the P.O.W. camp at El Reno, Oklahoma

claimed by the first two priorities' wants reverted to the military for utilization in less pressing projects.[14]

El Reno farmers grumbled, along with their counterparts across the nation, about the priority system which placed them in competition for prisoner work forces. The multiplicity of forms and procedures required before the army would release the captives for labor, only increased their irritation. Requests had to be submitted to the War Manpower Commission, detailing the particulars of the work project. Upon approval of a request, certification for prisoner labor use was issued to local military officials, who waited for the Department of Agriculture's Extension Service to decide how many captives to allocate for each farm. Industrialists, as well as farmers, were cautioned to exhaust all available civilian labor sources before applying for prisoner usage. When possible, local unions were consulted prior to final approval of any project.[15] El Reno area employers tried to circumvent the extensive paperwork and delay involved in tapping the new labor supply. The Chamber of Commerce pressured Washington with limited success, and the government grudgingly conceded the necessity for speeding the processing of requests and allocations.[16]

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[14] United States War Department, Technical Manual, *Enemy Prisoners of War*, October 5, 1944, p. 5.1; "Employment of Prisoners of War," *Monthly Labor Review*, Vol. LVIII, No. 1 (January, 1944), p. 58; "Priorities in Allocation of Services of Prisoners of War," *ibid.*, Vol. LVIII, No. 6 (June, 1944), p. 1189; United States House of Representatives, "Investigations into the National War Effort, November 30, 1944," 78th Congress, 2nd Session, p. 7.

[15] *Ibid.*, p. 7; "Employment of Prisoners of War," *Monthly Labor Review*, LVIII, pp. 58–59.

[16] *El Reno American*, July 29, 1943, October 7, 1943; Interview with Harry Hayman, Ponca City, Oklahoma, October 4, 1973. Mr. Hayman served at Fort Reno in the position of Provost Marshal from November, 1944, to January, 1945, while holding the rank of captain.

Fort Reno's prisoners of war toiled at all types of employment, according to the priority system. They provided a platoon of workers for assignment to details on the post which included the breeding and raising of horses and mules for military service. The Germans also labored at a variety of industrial and construction sites as distant as Tinker Air Force Base at Oklahoma City, Oklahoma. Local farmers received considerable prisoner help in the endless tasks imposed by wartime crop-growing quotas. Transportation to and from the stockade presented the Military Police guards and area civilians with a minorly irksome aspect of the prisoner of war labor system in action. National guidelines for security against escape were consciously predicated on the more pressing problem of labor shortages, thus a minimum number of Military Police guarded a maximum number of captives. The rule established a ratio of one guard for every eight prisoners. Civilian motorists were warned to avoid separating army prisoner of war convoys by cutting between individual, slow-moving trucks, and on several occasions local law enforcement agencies were called upon to apprehend violators of this tightly enforced ordinance.[17]

Within months of their arrival, the German prisoners constituted an important, if rather prosaic, part of El Reno's homefront existence. The mundane chores they performed dramatically contrasted with the *Afrika Korps*'s recent and proud past. Life, since capture, had been a series of unpleasant revelations for some of those thoroughly indoctrinated with Hitler's grandiose war claims and predictions. Military Police guards at Fort Reno reported conversations with newly arrived Germans who expressed chagrin at their internment in America rather than Great Britain. Apparently, the *Fuhrer's* promise of an early invasion of England had convinced many that release from captivity would have been imminent had they been incarcerated there. Others of a similarly superpatriotic, and somewhat gullible nature recalled their amazement when their prison ships had docked at New York City. According to Nazi propaganda, the *Luftwaffe* had eliminated such landmarks as the Statute of Liberty and the Empire State Building, and had reduced the city to smoke and rubble. The consternation provoked by this revelation marked the beginning of disillusionment for many believers in the Nazis' promised "Thousand Year Reich."[18]

Still, only a portion of the captives ever acknowledged the reality of an increasingly inevitable defeat for the Axis powers. The Reverend A. C. Dubberstein, a German-speaking Lutheran chaplain, met regularly with the Protestant prisoners at Fort Reno, and after weekly Sunday services he

[17] *El Reno American*, September 16, 1943; United States War Department, Technical Manual, *Enemy Prisoners of War*, pp. 2, 36.

[18] *El Reno American*, July 8, 1943.

allowed one-half hour for questions and answers, including war news. Younger captives revealed a continued thralldom with "Hitler's superman theories" while older, more cynical soldiers were convinced that Germany had lost the war.[19]

Prisoner of war compounds elsewhere in Oklahoma and other states also restrained small minorities of diehard Nazis. Approximately 4,500 of the most rabid from various camps were gathered together at a large installation near Alva, Oklahoma. Obviously, the Provost Marshall General, commanding officer of the national network of camps, subscribed to that old adage concerning rotten apples and their effect on barrels of fruit. At Camp Alva these noncooperative incorrigibles from other compounds were placed under close surveillance and allowed few privileges. The stockade commander at a camp in Michigan devised a more subtle, but equally effective approach to the problem of lingering Nazism. Several undercover *Gestapo* agents at his camp unmasked their identities and asked for transfers to Alva, after having completed their task of noting instances in which other prisoners had cooperated with the American command. Poetic justice was rendered when the request was denied by the camp commander who also exposed the agents' duplicity to their fellow prisoners.[20]

Generally, the captives at Fort Reno displayed contentment in captivity. Glad of a respite from battle, they worked willingly at most jobs. This surprisingly high morale level can be attributed to several factors. All of the camp's inmates fell into the categories of enlisted men and noncommissioned officers of the famed *Afrika Korps*. American prisoner of war policy wisely allowed the Germans to wear military uniforms and insignia: a practice which, according to local observers, sustained pride of appearance even in captivity. Useful occupations also helped relieve the tedium of prison; virtually all the Germans preferred working to mere serving time. In addition, the stockade afforded the captives a wide variety of sports and amusements. Cruising the highway near the prison compound on Sundays, El Reno residents invariably slowed their cars to catch glimpses of Rommel's erstwhile warriors engaged in a volleyball game.[21]

If the imprisoned Germans were resigned to their surroundings, the same quiescence was not always exhibited by El Reno townspeople. Comments from the townspeople ranged in intensity of emotion to include suggestions

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[19] *Ibid.*, August 19, 1943.

[20] United States House of Representatives, "Investigations into the National War Effort, April 26, 1945," p. 10; United States House of Representatives, "Investigations into the National War Effort, November 30, 1944," 78th Congress, 2nd Session, p. 2.

[21] *El Reno American*, July 15, 1943; Interview with Harry Hayman, October 4, 1973; United States War Department, Technical Manual, *Enemy Prisoners of War*, p. 2.1.

that the captives be shot, citing atrocity stories filtering out of Nazi-occupied Europe as justification. While sympathizing with the intent of these sentiments, the *El Reno American* editorialized in favor of forbearance. From a practical standpoint any violation of the Geneva Convention on Prisoners of War might result in reprisals against Americans held by the enemy. Good treatment for the German prisoners was deserved, moreover, concluded the editorial, as they were "patriots in their own right."[22]

Such reasoning proved exceptional in this country as the concentration of the war effort mounted. Growing casualty lists, rationing and continuing atrocity news rasped home front nerves, already stretched taut from months of uncertainty and fear. Nationwide resentment over the relative comfort and safety of the prisoners of war finally prompted a congressional committee to investigate charges of excessive leniency toward the German captives. However, the committee report denied that the prisoners were "being unduly coddled and pampered."[23] Army spokesmen explained to the committee, and to local citizens' groups from communities near prisoner compounds, the logic governing prisoner policy. Hopes for reciprocal treatment of captured American troops, the propaganda value of fair treatment to induce more German surrenders and the necessity of adherence to international law were enumerated in defense of the policy.[24]

In El Reno, the Kiwanis Club listened to the Fort Reno stockade commandant, Major John T. Carlile, speak on the subject of prisoner treatment. Shedding light on one prevalent accusation that German captives enjoyed lavish meals and quarters while Americans held prisoner by Germany were ill fed and inadequately housed, the major noted that compound standards, in accordance with the Geneva Convention, were maintained on a par with the captor country's own base troops. He explained the difference in treatment by concluding that German prison officers interpreted this provision to apply to rear echelon troops who, unlike their American counterparts, received much less substantial rations than frontline units of the *Wehrmacht*. Carlile also pointed out the difficulty of obtaining food shipments in a Germany under constant Allied air attacks.[25]

Regardless of efforts to mollify adverse public opinion, complaints continued, and at least one incident occurring near El Reno seemed worthy of irate concern. Hundreds of propaganda leaflets were thrown from a

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[22] *El Reno American*, July 8, 1943.

[23] United States House of Representatives, "Investigations into the National War Effort, November 30, 1944," 78th Congress, 2nd Session, pp. 5, 29.

[24] United States House of Representatives, "Investigations into the National War Effort, April 26, 1945," p. 3.

[25] *El Reno American*, February 15, 1945.

passing train carrying German prisoners to another camp. That some Nazis remained unreconstructed was only too evident from reading the crudely printed sheets: "Americans, who is sitting behind the front line? The Jews! Who gets killed in action? The American soldier! . . . Jews are the Americans' ruin, the Jews need the American people for their personal interest." The indignation of the editor of the *El Reno American* and his demand for an investigation and courtmartial for the guards on the train was understandable in the face of such virulent antisemitism.[26]

Yet, the leniency responsible for this unpalatable incident explains the most important element of the prisoner of war policy. Nearly 1,600 enemy prisoners escaped from American camps. At first glance this number appeared to offer ample proof for charges of incompetence and excessive leniency. However, all prison camps were established as minimum security installations with skeleton guard companies. The underlying justification for bringing captives to the United States was to fill labor shortages created by military service calls; accordingly, a mere 47,000 guards watched over the 356,000 German and Italian prisoners of war.[27]

As alarming as the escape figure seemed, it should be remembered that the recapture rate was correspondingly high—no prisoner ever succeeded in gaining his freedom.[28] Fort Reno's lone escape attempt reveals why. On October 7, 1944, two young prisoners, Hans Kaiser and Karl Haas, walked away from a work party near the prison stockade. Following standard operating procedure, the Fort Reno prison officials called in the Federal Bureau of Investigation and local law enforcement agencies to aid in tracking down the escapees.[29] Two weeks later, Kaiser and Haas surrendered at the El Reno train depot. They had evaded capture by hiding in barns and abandoned farm buildings while concealing the red painted "P's" on their clothing by reversing their raincoats to hide the lettering. In spite of their fluency in the English language, the two had ultimately realized the futility of an escape with no viable means of returning to Germany.[30]

Escapes notwithstanding, the prisoner of war policy resulted in success. No one has, as yet, fully assessed the contribution that the program made to America's war effort. Incomplete wartime statistical evidence estimated the cash value of prisoner labor at over $100,000,000, resulting from monthly

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[26] *Ibid.*, May 3, 1945.

[27] United States House of Representatives, "Investigations into the National War Effort, April 26, 1945," 79th Congress, 1st Session, pp. 9–10.

[28] *Ibid.*, p. 9.

[29] United States War Department, Technical Manual, *Enemy Prisoners of War*, p. 2.34.

[30] Interview with Harry Hayman, October 4, 1973; *El Reno American*, October 19, 1944; *El Reno Daily Tribune* (El Reno), October 8, October 9 and October 15, 1944.

man hours of work ranging as high as 875,000 hours per 30 day period.[31] This represented a sizable portion of United States war production "without which," according to our then ally, Josef Stalin, the Premier of the Soviet Union, "our victory would have been impossible."[32] Another measure of the prisoner of war program's significance can be adduced from the reluctance of agricultural and industrial employers to lose the prison laborers through repatriation—the Fort Reno camp released its last contingent of Germans on May 10, 1946.[33]

Today, few citizens recall the prisoner of war episode in World War II's home front story. At Fort Reno the prison camp buildings and double barbed wire fencing have been long since torn down. Residents of the area do occasionally remember the past presence of the camp when they sight the old cement guard tower, now serving ignominiously as a silo, from their cars as they pass along the highway.[34] It, along with the seventy graves at Fort Reno cemetery, survives as a lingering epitaph for the vanquished of World War II.

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[31] United States House of Representatives, "Investigations into the National War Effort, April 26, 1945," 79th Congress, 1st Session, p. 8; "Postwar Policies Regarding Foreign Workers and Prisoners of War," *Monthly Labor Review*, Vol. LXI, No. 5 (November, 1945), pp. 910–911.

[32] At the Teheran Conference, Stalin proposed the toast as it appears above and in M. Nelson, *Arsenal of Democracy: The Story of American War Production* (New York: Harcourt, Brace and Company, 1946), p. ix.

[33] *El Reno American*, May 9, 1946. The barracks which housed the captives were converted into temporary living quarters for American veterans. *El Reno Daily Tribune*, May 28, 1946.

[34] The guard tower is plainly visible from the highway at its position just outside the western city limits of El Reno.

☆ NOTES AND DOCUMENTS

ACQUISITION LIST FOR THE OKLAHOMA HISTORICAL SOCIETY LIBRARY

Mrs. Alene Simpson, Director of the Oklahoma Historical Society Library has announced that the 1973 Acquisition List is now available. The initial copy is free to members of the Society (please include 10¢ for postage). Non-members may purchase copies at 50¢ each. All requests should be made to Mrs. Alene Simpson, Library, Oklahoma Historical Society, 2100 North Lincoln, Oklahoma City, Oklahoma, 74105.

THE RAMBLER IN OKLAHOMA

A limited number of copies of *The Rambler in Oklahoma, Latrobe's Tour with Washington Irving*, edited and annotated by Muriel H. Wright and George H. Shirk, have just recently been made available for sale. These books, published by Harlow Publishing Corporation in 1955, will be offered at $3.00 per copy, plus 10¢ for postage. Orders should be placed through the Business Office at the Oklahoma Historical Society.

NEW MEMBERSHIPS AVAILABLE

By Mildred Frizzell

The Membership Committee of the Oklahoma Historical Society wishes to announce the establishment of two new classifications of memberships in the Oklahoma Historical Society: Business Memberships are now available with dues of $25.00 per year and Corporate Memberships are welcomed with dues of $100 annually. These two new classifications are in addition to Individual Memberships with dues of $5.00 each year and Individual Life Memberships with a one time $100 cost.

Inquiries may be made to the Business Office, Oklahoma Historical Society, 2100 North Lincoln, Oklahoma City, Oklahoma, 74105.

RISING POSTAL RATES—MEMBERS PLEASE NOTE

Constantly increasing postal rates mean that it costs the Oklahoma His-

torical Society a large amount of money each time an issue of *Mistletoe Leaves* or *The Chronicles of Oklahoma* is returned because of an insufficient or incorrect address. Please help the Society by advising us of your address changes promptly. In this way money saved on postage may be put to a more useful purpose and your copies will arrive more promptly. Your help in this matter will be greatly appreciated by all members of the Oklahoma Historical Society.

DONORS AND ENVIRONMENTAL PROTECTION

Recently environmentalists and those interested in historic preservation have been seeing eye to eye with regard to the legal aspects of protecting a view, a façade or any other aspect of historic preservation. Many articles have been published in reviews across the country concerning this subject. The *Yale Law Journal* in "Development Rights Transfers" and "Aesthetic Zoning" in the *Wake Forest Law Review* both discuss these legalities.

Although this is a new concept for Oklahoma, the Board of Directors of the Oklahoma Historical Society, on behalf of the State of Oklahoma, acted promptly on this subject in their first meeting of 1974. Up to this time nothing had been done formally on the question of easements for preservation purposes of less than fee. However, it can now be announced that Mr. William J. Ross, Oklahoma City attorney, has volunteered to handle all questions throughout the State of Oklahoma that may come up pertaining to easements for preservation purposes of less than fee.

FORT GIBSON OBSERVES ITS 150TH ANNIVERSARY

By C. W. "Dub" West

Citizens of Fort Gibson, Oklahoma, observed the 150th anniversary of the establishment of the post with a ceremony to mark the occasion on Sunday, April 21, 1974. Q. B. Boydstun, the Chairman of the Old Fort Commission of the Oklahoma Historical Society, was to have served as master of ceremonies, but the serious illness of his wife prevented his being present. However, James Treadwell, Chairman of the Sesquicentennial Committee, acted in his place.

The program opened with an invocation by Reverend Carlos V. Knight, Pastor of the Fort Gibson Baptist Church, and then while the Fort Gibson Band sounded "To the Colors," Boy Scout Troop 606 of Tulsa, Oklahoma, led the flag salute. Mayor James E. Cooper gave the welcome address.

It was particularly fitting that the United States Military Academy was represented by Colonel Carl Sullinger, who explained that the post was the first assignment of many of the graduates in the nineteenth century, and their distinguished service was a valuable contribution, not only to themselves, but also their school and their country.

Earl Boyd Pierce, recently retired Chief Counsel of the Cherokee Nation and a member of the Board of Directors of the Oklahoma Historical Society, delivered the principal address, and traced the 150 year history of one of the most important military establishments on the frontier during the nineteenth century.

George H. Shirk, President of the Oklahoma Historical Society, was the official representative of the organization and praised the efforts to preserve such an important historical site.

The drawing of the commemorative medallion for the 150th anniversary was also unveiled by artist Brenda Grummar. This medal will be available in mid-summer and advanced orders may be placed with James Treadwell, Fort Gibson, Oklahoma, for the price of $15.00. Announcing that the Sesquicentennial Celebration will culminate in September, with a series of planned activities, Mr. Treadwell urged all members of the Society to attend the events if possible.

Following a tour of the grounds by more than 500 visitors, an open house was held at the Isom Home, once owned by Cherokee Chief William Potter Ross.

HOME OF TERRITORIAL GOVERNOR WILLIAM M. JENKINS

By Gerald B. Martin

Constructed in 1897, this is the home of William M. Jenkins, the fifth territorial governor of Oklahoma who served from May 12, 1901, to November 30, 1901. Making the "Run" into the Cherokee Outlet on September 16, 1893, Jenkins established his homestead two miles east and one mile south of present-day Newkirk and constructed perhaps the first stone house in the region. Jenkins and his family occupied the farm until he was appointed secretary of the territory in June, 1897—a position he held until becoming territorial governor four years later.

Shown in the foreground are two of Jenkins' sons—William H. and Delbert—and a young neighbor.

The home of William M. Jenkins near Newkirk, Oklahoma

MEMORIALS TO DECEASED MEMBERS OKLAHOMA HISTORICAL SOCIETY

Mr. Edward Galt, prominent pioneer oilman, formerly of Ardmore, Oklahoma, died May 20, 1974, in San Antonio, Texas, where he had lived for the past thirty-four years.

Born in Spring Place, Georgia, in 1890, Galt was the son of Judge and Mrs. John L. Galt. Judge Galt was the first Mayor of Ardmore, Oklahoma, and served in the state legislature of both Oklahoma and Texas.

After attending the University of Georgia, he came to Oklahoma and became one of the discoverers of the famous Healdton oil field.

He was a charter member and past president of the Ardmore Chamber of Commerce, past president of the Ardmore Rotary Club and served as president of the Board of Education of the Ardmore Public Schools.

Living in Ardmore until 1940, when he moved with his wife, the former Allie Breeding, and daughters to San Antonio, he continued to play an outstanding role in the civic and business life of both states. He was president of a score of companies including the Georgian Corporation, the Maryland Corporation and the Producers Corporation of Nevada.

He served as a director of the Rotary Club and the Texas Independent Producers and Royalty Owners Association and the San Antonio Chamber of Commerce. He was a thirty-second degree Mason and a member of the First Presbyterian Church. Among the club affiliations were the Argyle, the San Antonio Country Club, the Petroleum Club and the Union League Club of Chicago.

He is survived by his three daughters, Mrs. Earl Brown, Jr., Houston, Texas; Miss Gloria Galt and Mrs. Marshall Steves, San Antonio; three grandsons, Marshall Steves, Jr., Edward Galt Steves and Sam Bell Steves; granddaughter, Mrs. Brown Barry; and great grandchildren, Andrew Earl and Brice Galt Barry.

DOG SOLDIERS, BEAR MEN AND BUFFALO WOMEN: A STUDY OF THE SOCIETIES AND CULTS OF THE PLAINS INDIANS, by Thomas E. Mails (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1973. Pp. 384. Illustrations. Bibliography. Index. Appendix. $20.00.)

The author (and illustrator) of this impressive book is a man of remarkably varied attainments—engineer, architect, artist, author (of eighteen books), ethnologist and theologian (pastor of a Lutheran church in California). Thus he brings to this study an insight and breadth of view that qualifies it as a major contribution to the literature of the Plains Indians. His own artwork—scores of illusrations in pen-and-ink and charcoal and color as well—enrich and expand on the text.

Mails' subject is the societies of the Plains tribes. The best-known activities of such societies were camp police, hunt discipline and war expeditions; but in truth they expressed a blend of social, religious, military and political meaning that made them enormously significant institutions of the Plains Indian culture. As this book convincingly demonstrates, an understanding of the societies is central to an understanding of the Plains Indians of pre-reservation times.

In essence this book is an encyclopedia of Plains culture. It catalogs all the societies the author could identify in all the major Plains tribes. The organization, ritual, ceremonies and regalia of each are set forth in detail. There is a heavy emphasis on the material aspects of the societies, such as costumes, ceremonial and other associated objects. The author's own illustrations, based on museum specimens and historic photographs and artwork, focus on the details of form and design of society regalia.

Dog Soldiers, Bear Men and Buffalo Women is scarcely diverting bedtime reading. Except for the opening chapters, treating the purposes and significance of the societies, it is a dull and repetitious compendium of data concerning each society of each tribe. But it is a reference book of lasting scholarly value, one that must be ranked with a relative handful of basic works on the ethnology of the Plains Indians. That it is handsomely designed in coffee table format and printed on fine paper adds visual distinction to scholarly substance.

Robert M. Utley
National Park Service

MILITARY DRESS OF NORTH AMERICA 1665–1970 By Martin Windrow and Gerry Embleton (New York: Charles Scribner's Sons, 1973. Pp. 159. Illustrations. Bibliography. Index. $10.00.)

Any serious student of American Military History would tell you that no one volume could adequately cover the military history of a 300 year period. Then to insert finely detailed plates, many in color, showing the uniforms and equipment of GI Joe in all of our wars would require additional volumes. Then add detailed descriptions and plates of the English, French, German, Spanish, Mexican and Canadian foes of three centuries, and the net has been cast wide and risks the irritation of the purist.

But two Englishmen from far off London, England, did all of this in one small volume and it is amazingly complete and objective. But we members of that dedicated American society, The Company Of Military Historians, can take credit for some of the excellent plates (many in full color), and its published researches for which the authors give gracious acknowlegement.

The most concise description of the material offered the reader of this book would be that it is a remarkably smooth reading but brief history of the wars of America from Colonial times beginning in 1665, and ending with the fighting in Viet Nam in 1970. It is divided into eight chapters with each one accompanied by illustrations and technical descriptions of the soldiers' uniforms, weapons and auxiliary equipment. Dr. Windrow states in his "Foreword" that because real military history is always written by the common soldier, rather than the general officer, he chose to concentrate on the ordinary infantryman, the trooper and the junior company officer of the combat units rather than senior officers and supporting branches; however, examples of both of these latter categories will be found in this book.

This big little book is a bargain at $10.00 and is a must for students, collectors, historians and just plain folk who take pride in our country and its citizen patriots.

Jordan B. Reaves
Oklahoma City

CYCLES OF CONQUEST: THE IMPACT OF SPAIN, MEXICO, AND THE UNITED STATES ON THE INDIANS OF THE SOUTHWEST, 1533–1960. By Edward H. Spicer. (Tucson: University of Arizona Press, 1972. Pp. xiv, 609. Illustrations. Maps. Bibliography. Index. $5.95.)

Few have better credentials as an expert on the Indians of the Southwest than anthropologist Spicer who, after viewing the tribes in their contem-

porary habitat, turned to studying them as a historian. This work, originally published in 1962 and now reprinted, shows that he put his expertise to good account as he analyzed the changing policies and effects of the dominant white conquerors from the conquest in 1533 to 1960.

Spicer has concentrated upon the main tribes of Chihuahua, Sonora, Arizona and New Mexico and offers extensive treatment of the Tarahumaras, Yaquis, Mayos, Lower Pimas, Opatas, Seris, Upper Pimas, Papagos, Navahos, Western Apaches, Yumans, Mohave, Halchidhoma, Maricopa, Yavapai, Walapai and Havasupai. The book is divided into four parts which portray the events of contact, the framework of contact, the results of contact and the processes of cultural change. He discovered that after 400 years of contact, inspite of all the influences brought to bear, most of the conquered peoples still retained their own sense of identity. The forces for assimilation had been balanced by resistance to submergence in the dominant societies.

The effort fares better viewed as a work of anthropology rather than a work of history. It was truly a remarkable achievement in developing a pioneering approach to acculturation study. As a product of the historical method, it suffers from the omission of vital first-hand work in many key primary sources and archival collections. In addition, many new findings relative to southwestern history and the tribes such as Dolores A. Gunnerson's recent history of *The Jicarilla Apaches: A Study in Survival*, have been published during the past ten or fifteen years and these inevitably have a bearing on certain interpretations in many of the chapters.

Regardless of these shortcomings, however, it is important to note that there have been studies of particular southwestern Indian tribes, but this was the first (and still the only) published synthesis of the whole. As a point of departure toward additional research, it is a masterful work that continues to display wide knowledge, thorough scholarship, and judgment. The volume is written in non-technical language and is well illustrated with maps and drawings. Detailed bibliographic notes are given for each chapter and there is an excellent index. If it was missed when it first came out, now is the time to read the study in convenient paperback form.

Philip A. Kalisch
University of Southern Mississippi

WILDERNESS BONANZA: THE TRI-STATE DISTRICT OF MISSOURI, KANSAS, AND OKLAHOMA. By Arrell M. Gibson. (Norman: University of Oklahoma Press, 1972. Pp. xiv, 362. Illustrations. Maps. Bibliography. Index. $9.95.)

In a dramatically productive century, from 1850 to 1950, the Tri-State Lead

and Zinc Mining District accounted for half the zinc and nearly ten per cent of the nation's lead production. Moreover this area of approximately 1,200 square miles yielded minerals worth well over $1,000,000 and supplied American and foreign industries with minerals to manufacture goods as diverse as firearms and fertilizers. Professor Gibson has skillfully drawn from a variety of sources to depict the geologic, industrial and social history of this ore-rich region.

Gibson has not overlooked the human cost involved in extracting these valued minerals. Miners faced hazards in all phases of their work but had to be especially alert to rock falls and the more serious massive cave-ins. Miners frequently suffered from a number of physical ailments associated with their work. Short-term blinding caused by the dangerous sulfide gas, lead poisoning, and the ever present "miners consumption" or silicosis were the most common complaints. The careless use of explosives also endangered the lives of the less experienced workers. The average miner worked a hard nine-hour day, six days a week and found his few diversions in local baseball or boxing events or the local Saturday night, pay day celebrations. A unique society developed in the Tri-State region. District residents saw themselves as somehow separate from the states in which they lived and they moved freely in the area with little thought for local boundaries.

Gibson found the term "miner" particularly hard to delineate since it often meant an operator as well as a laborer. This confusion may well account for the slow growth of the union movement in the Tri-State district. Until 1935 there was virtually no aggressive union movement in the area despite heavy International Workers of the World activity in the pre-World War I era. The major union organizations gained support after 1935 only with difficulty. Operators formed rival unions which they controlled through men like F. W. "Mike" Evans with his "pick-handle" brigades to discourage American Federation of Labor and Congress of Industrial Organizations affiliates.

By 1950 the district minerals had played out, population had drifted away, and only Joplin, Missouri, stood as an active reminder of the bustling commerce of the past. Oklahomans should welcome the splendid job Gibson has done in capturing the area's past and gathering the remnants of former miners' recollections.

Gary E. Moulton
Southwestern State College

CUSTER ENGAGES THE HOSTILES. By Charles Francis Bates and Francis Roe. (Fort Collins, Colorado: The Old Army Press, 1973. Pp. 100. Illustrations. Maps. $6.00.)

This volume is a reprint of two Custer pamphlets which were published in limited editions during the 1920s and 1930s. The first of the pamphlets, Charles Bate's *Custer's Indian Battles*, was originally printed in 1936 and contains a brief thirty-eight page account of Custer's military career between 1865 and 1876. Bates, a retired army colonel, includes an odd potpourri of fact and fiction in his narrative which obviously is intended to vindicate Custer as a champion of American military history. Asserting that, "In the courage of Custer, the youth of America will always find inspiration," Bates describes his subject in glowing terms while denouncing the cowardice and indecision of Captain Frederick W. Benteen and Major Marcus A. Reno.

The second pamphlet included within this volume, Charles Roe's *Custer's Last Battle*, a collection of accounts written by participants in the Sioux campaign of 1876. Roe's pamphlet, originally printed in 1927, contains the journal of Second Lieutenant Edward J. McClernand, an officer serving under Colonel John Gibbon in the "Montana Column." The pamphlet also encompasses an assortment of reminiscences and statements by individuals peripheral to the Battle of the Little Big Horn.

Custer Engages The Hostiles has some significance for Little Big Horn buffs or collectors of "Custeriana." Both of the pamphlets have been out of print for many years and the volume features an attractive early twentieth century format incorporating copies of old photographs and some excellent maps of the Custer Battlefield. Yet, the book is of little value to most historians or general readers interested in the American West. Almost all of the important information contained within the two pamphlets has been incorporated into such standard histories as Edgar I. Stewart's *Custer's Luck* or Jay Monaghan's *Custer: The Life of General George Armstrong Custer*. The accounts featured in Roe's pamphlet do offer some primary descriptions of the Little Big Horn battlefield, but Bates' narrative is incomplete, quite opinionated and full of clichés such as: "His Lithe figure and grace, and the inherrent power in which horse and rider seemed one, made plain why it was said of him, 'Custer mounted was an inspiration.'" Bates even goes so far as to assert that: "The Indians understood and respected Custer, and knew he was really their friend, and now he is loved and admired by them." Such assertions probably have enhanced the Custer image in the past, but they have no place within the realm of serious scholarship. Indeed, *Custer Engages The Hostiles* is of more value as an example of American myth-making, than as a contribution to American history.

R. David Edmunds
Laramie, Wyoming

PATCHWORK POETRY. By Marj Bennett. (The Petite Publishing Company: Oklahoma City, 1973. Pp. 110. Illustrations. $4.00.)

Do you remember your grandmother's "crazy quilt?" That wonderful conversation piece of an age gone by? It was a treasured possession of its day—but modern as tomorrow, as it chose, even for that far-off era, to do its own "thing," boldly eschewing the conventional patterns and displaying no set form; beautifully and neatly preserving many happy and sacred memories of the day. Strangely and peculiarly set together, enhanced by many and varied stitchings of silken patterns. There was a piece of great grandmother's wedding dress, a rare brocade from a treasured friend's ball gown, all neatly feather-stitched between a triangular patch of Aunt Susie's coming-out dress and close to some of the remnants of Cousin Mamie's "Sunday-go-to-meetin" wardrobe. Oh the skillful blending of remembrances, woven in contrasting colors of silken thread, some of the patches bearing the autograph of the donor. A real provocative "conversation-piece when a guest happened in on a Sunday afternoon. There was a piece of Uncle Jim's fancy vest beside a rich velour bearing the autograph of a friend long gone.

Well, Marj Bennett, in her versatile book of poems, has literally brought to life and focus this wonderful treasure of a bygone age. There are philosophic verse-brocades, light silken allusions to people of her early life, strong velvet touches of historical merit—her "Antelope Hills," "Old Ranch House," her touching remembrance of people now gone away. And what living memories of scenes and people of her childhood and youth!

And the author has slipped in and through it all skillfully drawn pen line work from her sister's artistic drawings. Hazel Tuttle has interwoven pen patterns binding the patchwork poems together—the counterpart of the skillful seamstress of the quilt of long ago. Even the publisher has fallen in line with paper sheets suitable to the content from section to section. Altogether, the poetry, the artistic sketching, the format, each item is fitted well and appropriately. This new book of poems combines the whimsies of philosophic inspiration, the light touches of instant thought and sketches of life. You will enjoy it. It is different.

Leslie A. McRill
Poet Laureate of Oklahoma

THE STORY OF MEDICINE IN AMERICA. By Geoffrey Marks and William K. Beatty. (New York: Charles Scribner's Sons, 1973. Pp. xi, 416. Illustrations. Reference notes. Bibliography. Index. $10.00.)

From the Jamestown Colony of 1607, to the events of yesterday, a selection of medically related subjects is presented chronologically. The reader will find entertainment from the sketches and quotations, while the technical areas of disease, treatment, prevention and medical organization are discussed in simple terms.

The bibliography includes the writings of the most reputable historians of American medicine, such as Francis Packard, Richard H. Shryock, Henry E. Sigerist and others who considered deeply specific aspects of medical history. The authors, however, devote little space to interpretation or analysis. This reviewer regrets their use on several occasions of terse generalizations, for example, concerning the resentment of the rich patient "when he is taxed by his government and taxed again by his physician to take care of the poor," (p. 355). This observation reflects a common view, but provides little comfort or insight.

The book is not intended to enlighten medical educators or economists. However, it will interest many students of American social history and should find a place in college and public libraries.

R. Palmer Howard
University of Oklahoma
Health Sciences Center

WORLD CATTLE III: CATTLE OF NORTH AMERICA. By John E. Rouse. (Norman, Oklahoma: University of Oklahoma Press, 1973. Pp. xiii, 650. Illustrations. Maps. Bibliography. Index. Appendix. $20.00.)

This is the third and final book in a set written by Rouse on cattle of the world. In *Cattle of North America* he gives a country-by-country and breed-by-breed description of North American cattle. Well-written, the volume is designed as a handy reference tool for cattlemen and those that work with them. Whether a general sketch of the cattle industry in a particular country is desired or a history of a particular breed, it may be found quickly and concisely.

The volume covers the island nations of the Caribbean, Middle or Central America, Canada and the United States. A thumbnail sketch is provided of each country including its history, giving the reader a background to draw upon as the country's cattle industry is discussed. Cattle breeds found in the country, the marketing procedures, slaughterhouses, diseases and government policies are all discussed in terms of that particular nation.

Especially long sections are devoted to the cattle industry of Canada and the United States. All of the major cattle breeds are discussed as to origin,

physical traits and popularity, as well as many of the lesser known breeds and the newer exotics. Management techniques of these countries are also discussed in some detail.

Rouse, though an engineer by training and an oilman by profession, has done a remarkable job of researching and compiling this book. Spending several years in traveling throughout North America and talking to ranchers, researchers and officials, he put together a concise and accurate description of the continent's cattle industry. Diagrammed with photographs of the different breeds of cattle, the book illustrates not the show-type animal but those found in general use.

Cattle of North America is written clearly and smoothly in a style that makes for interesting reading. It is a book which belongs on the shelf of anyone interested in one of the world's oldest industries—cattle raising.

J. Greg Nordyke
Oklahoma Cattlemen's Association

WESTERN APACHE RAIDING AND WARFARE. By Grenville Goodwin, Edited and with Introduction by Keith H. Basso. (Tucson: The University of Arizona Press, 1971. Pp. xvii, 330. Illustrations. Maps. Index. $5.95.)

Western Apache Raiding and Warfare is a collection of verbatim narratives by western Apaches as told to Grenville Goodwin, who, though a native New Yorker, attended school in Arizona and remained a dedicated Southwesterner. Although he died in 1940, with only two published works to his credit, his field notes proved so extensive that in 1969, Mrs. Goodwin and the University of Arizona arranged for the publication of the entire set of notes, under the editorship of Dr. Keith H. Basso.

The present volume is the first of many publications to be based on Goodwin's research. As such, it consists of two sections. The first part is based on the narratives of six Apaches—including that of Anna Price, eldest daughter of Chief Diablo—who describe the final years of Apache raiding and warfare. The second part is devoted to descriptions of selected aspects of Apache life, e.g., the training and conduct of young braves, taboos for women, the war dance and the victory celebration.

The author restricted his attention to the White Mountain subtribal group of the western Apaches, who were those peoples, excepting the Mansos and Chiricahuas, living within the boundaries of the present state of Arizona. Although they spoke a common language and shared a common heritage, the Apache tribes remained segregated and vigorously guarded their terri-

tories. Consequently, trespassers were often expelled and occasionally murdered. However, the Apache generally operated under a strict code of justice and killed either in self-defense or in avenging the death of a tribal member. Indiscriminate murder was largely avoided, even during raids which were staged for replenishing food supplies.

The volume refutes many long-standing myths attributed to Apaches—such as the belief that scalping was an integral part of warfare—and contributes to the understanding of the American Apache. The work is a significant addition to an otherwise negligible number of Indian accounts written from the Indian viewpoint, and is exceptionally valuable for that reason alone.

Jack R. Yakey
Central Missouri State College

THE CHEROKEE STRIP LIVE STOCK ASSOCIATION. By William W. Savage, Jr. (Columbia: University of Missouri Press, 1973, Pp. 154, Illustrations. Maps. Bibliography. Index. $8.50.)

Equalling any of the great land domains of American history, such as the state capitol grant of Texas, the Cherokee Outlet, comprising more than six million acres, was a matter of prime economic and political importance in what is now Oklahoma during the final third of the nineteenth century. The circumstances that the region was not required by the Cherokee Nation for the homestead settlement of its people, that it was rich with grass ideal for cattle grazing, and that it was geographically situated in the immediate path of the vast cattle drives whereby Texas range cattle were moved to Eastern markets, made it the natural objective of conflicting pressures and interests.

It was inevitable that the rich grazing lands drew as a magnet to the Outlet cattlemen and their herds. The Cherokee Nation was finding the individual leases not entirely satisfactory; and the cattlemen individually were finding no way to present a united front on questions such as fencing, grazing rentals and the relationship with transit herds moving across the Outlet. The formation of an organization was inevitable; and in March, 1883, meeting in Caldwell, Kansas, the cattlemen organized under Kansas law the Cherokee Strip Live Stock Association. With its incorporation the industry now had unified spokesmen to deal with the Cherokee Nation and the United States government.

The history of the association, its negotiations with the Cherokee Nation, the execution of the famous lease from the nation to the organization of the entire Outlet, its renewal and the eventual fading of the association in

political as well as economic importance are all well-chronicled by the author. The volume is an interesting story of the first great economic enterprise in the area now comprising Oklahoma, and I am glad to be able to add the volume to my reference library on Oklahoma history.

The style and format of the volume seems new and different, with, for example, the footnotes appearing along the margin rather than at the bottom of each page. Illustrations are copious.

The volume is a worthy companion piece to Burough's monumental *Guardian of the Grasslands*, being the history of the Wyoming Stock Grower's Association.

George H. Shirk
Oklahoma City, Oklahoma

THERE'S NOT A BATHING SUIT IN RUSSIA AND OTHER BARE FACTS. By Will Rogers. Edited and with an Introduction by Joseph A. Stout, Jr. (Stillwater: Oklahoma State University Press, 1974. Pp. xxii, 95. Illustrations. Index. $6.95.)

The second title of a projected twelve volume set in five series, *There's Not a Bathing Suit in Russia* describes the visit of the great American humorist to the Soviet Union in 1926. Rogers himself admitted that he was "the only person that ever wrote on Russia that admits he don't know a thing about it;" however, Rogers continued "Nobody knows anything about Russia." Thus, he reasoned that "I know just as much about Russia as anybody that ever wrote on it," and embarked on his journey with the purpose of informing the American public of the actual conditions inside the newly formed communist society.

Previous to the trip to the Soviet Union, Rogers and the members of his family toured Western Europe visiting many of the members of royal houses and dining with distinguished diplomats; however, during this portion of his visit, Rogers' desire to see the actual conditions within the nations had been hampered by official guides and schedules. Therefore, when he received his visa to enter the Soviet Union, he arranged for his own transportion and was determined to witness the everyday life of the people.

The only passenger on the airplane into the Soviet Union, Rogers paused briefly in Lithuania and then began a tour of major Russian cities. Joseph Stalin and Leon Trotsky had been grappling for power since the death of V. I. Lenin in 1924, and this was a brief period of relaxation of strict government control. In an attempt to consolidate his newly gained power, Stalin had allowed some resumption of capitalistic enterprise which Rogers witnessed. This was extremely limited, however, as the severe repression

which preceeded the purges of the 1930s was being formulated by the new leader.

Nonetheless, Rogers was able to bring to the American public a vivid view of a previously closed society, and his witty insights into the workings of the communist state are still applicable today. It is this type of timeless humor which marked much of Rogers' writing, and this work well illustrates this unique ability. Rogers did not attempt to explain the Soviet Union to the world, but instead to present an account of his trip which provided much information of a heretofore unknown and somewhat feared nation.

The entire work had originally consisted of a series of articles in the *Saturday Evening Post* in the latter portion of 1926, and was first published in book form the following year. This issue is a reprint of the original book text, with explanatory footnotes to aid today's reader in identification. Dr. Stout and the Oklahoma State University Press have done a commendable job, and as Rogers' humor is ageless the book still brings chuckles to today's readers.

Kenny A. Franks
Oklahoma City, Oklahoma

CATALOGUE AND INDEX OF THE PUBLICATIONS OF THE HAYDEN, KING, POWELL, AND WHEELER SURVEYS. By L. F. Schmeckebier. (Washington: Government Printing Office, 1904; reprinted New York: Da Capo Press, 1971. Pp. 208. $12.50.)

Although the Civil War disrupted scientific studies of the West, American scientists were nonetheless eager to direct their attention to this still relatively unexamined country. The great explorations of John C. Frémont, A. W. Whipple, J. W. Abert and others in the late 1840s and 1850s had served to whet the appetite of the curious. More detailed studies were needed if this country were to be successfully "conquered." With the restoration of peace, civilian and military explorers rushed into the field. Some went for science; some for glory. In their footsteps white man's civilization spread across the continent.

Ferdinand V. Hayden, Clarence King, John Wesley Powell and George M. Wheeler were perhaps the most thorough and scientific of the new breed of explorers. They were also the last of a kind. They witnessed the official end of civilian and military rivalry over survey projects and governmental support. For example, Hayden and Powell, both civilian scientists, competed with Wheeler, an officer in the Engineering Corps. And it was obvious, to some, that such rivalries were retarding the advance of scientific

studies about the West. Some of the work was needlessly duplicated or slighted because there was no coordination. Moreover, the publications they spawned were never satisfactorally made available to the public. Thanks to the encouragement of King, Congress passed legislation to create the United States Geological Survey in 1879. Doubtlessly to launch the institution under sound leadership, King served as its first director; however, he was replaced by Powell in 1881. It was then possible to plan surveys and see to the orderly dissemination of reports and related publications.

Under the direction of Charles D. Walcott, director of the Geological Survey, L. F. Schmeckebier fulfilled the promise of order by cataloging and indexing the scattered publications relating to the Powell, Wheeler, King and Hayden expeditions. The result is a fascinating guide to the scientific view of the West between 1867 and 1893. Hayden and Powell have been remembered most for their Yellowstone Park and Grand Canyon explorations. But Schmeckebier's *Catalogue And Index* reveals that both their's and the other expeditions dealt with much broader subjects worthy of historical preservation and study. Hayden surveyed Nebraska (1867), Wyoming (1868, 1870, 1872 and 1877–1878), Colorado (1869, 1873–1876), New Mexico (1869), Montana (1871–1872), Idaho 1872, 1877–1878) and Utah (1872), thus making his the most extensive project. Powell surveyed the Rocky Mountain and Colorado River regions between 1867 and 1872. Most of the Powell-related publications appeared long after the termination of his survey. Between 1876 and 1893, significant documents appeared reporting not only on geography, but more interesting accounts concerning North American ethnology. Wheeler, an engineering officer during the Civil War and until 1871 a military surveyer in California, explored the regions west of the hundredth meridian between 1869 and 1879. Perhaps the most significant publications of the Wheeler projects were the extensive geological, zoological and ethnological studies of Arizona, California, Colorado, Idaho, New Mexico, Nevada, Oregon, Utah and Wyoming. These works were published between 1875 and 1889, one year after he had been placed on the permanent retirement list in 1888 because of physical ailments suffered during his field work. The reports of the explorations of King along the fortieth parallel (1867–1872) are far less voluminous than the others. His may have been added to the *Catalogue And Index* as much because of his relationship to the Geological Survey as their scientific value.

The value of the *Catalogue And Index* is apparent. Altogether the four explorers' field work covered some twelve years (1867–1879). But the publications of their reports, maps, charts and related studies extended over about twenty-five years (1868–1893). Schmeckebier's production serves as

an easy reference to mountains of materials concerning these projects. The 141-page index is most functional. Whatever one's interest in the West, he should find it a thorough guide through the maze of material Schmeckebier catalogued.

De Capo Press again shows its wise choice in reprinting this work. No college library should be without it. And no historian of the "Old West" or American ethno-history should fail to examine the *Catalogue And Index*. For instance, the Powell and Wheeler-related reports reveal much about the way Easterners viewed Indian culture and the West. It is hoped that a new look at Schmeckebier's work will stimulate like endeavors involving other key periods of trans-Mississippi scientific explorations and broaden the way historians look at these documents.

Jere W. Roberson
Central State University

THE WILL ROGERS BOOK. By Paula McSpadden Love. (Waco, Texas: The Texian Press, 1972. Pp. 232. Illustrations, Appendix.)

For more than thirty years Paula McSpadden Love was curator of the Will Rogers Memorial at Claremore, Oklahoma. And along with her husband, Robert W. Love, she did more to preserve the heritage of the great Oklahoma humorist than anyone. In 1961, Mrs. Love painstakingly gathered many of Rogers' best sayings about politics, business, education, philosophy, religion and other topics; she organized them under general headings, and added introductory remarks that only she could have known about her famous uncle. Bobbs-Merrill Company published the work and it sold well, it remained popular, but the publisher did not reissue.

Ten years later *The Will Rogers Book* still was out of print and people continued calling the Memorial asking for copies. Mrs. Love had given away many copies, but too many interested scholars and general readers wanted the book. In 1971, The Texian Press asked Mrs. Love for permission to reprint her work so it would again be available. Thus after a new preface was added the work was republished both in hard cover and paperback. So well has the reprinted edition sold that it now is in its second printing setting sales records in book stores throughout the country. The major reason for continuing demand is that much of what Rogers said remains relevant. For example, he once wrote about politicians: "I joke about our prominent men, but at heart I believe in 'em. I do think there is times when traces of dumbness crop up in official life, but not crookedness."

Finally, Will Rogers also said, "popularity is the easiest thing in the world to gain and it is the hardest thing in the world to hold." If you read this

fine collection of quotes you will quickly agree that Rogers' popularity, his insightfulness, his humanitarianism and his relevancy will endure indefinitely.

Joe A. Stout, Jr.
Oklahoma State University

HOSTILES AND HORSE SOLDIERS, Lonnie White *et al.* (Boulder, Colorado: Pruett Publishing Co., 1972. Pp. xix, 231. Illustrations. Maps. Index. $8.95.)

Can another book on the Indian wars add to the information on the United States' drive to force the Red Man back to the reservations? Of less than momentous impact *Hostiles and Horse Soldiers* is a collection of articles covering some military campaigns from the Civil War to the 1880s. White, the primary contributor, depicts the military predicament caused by Indian uprisings after the Civil War. Military buffs will find specific details mixed with familiar names in recalling, for example, "The Battle of Beecher Island." Other works include Joe A. Stout's edition of Lawrence Jerome's recollection of a chase into Mexico after Geronimo, and if the reader knows of United States' crossings into Mexico after the Civil War, they will appreciate the Jerome exploits. With a hint of humor Stanley Davidson has added the letters of Major Edwin Mason tracing a tedious chase of Bannock-Piute raiders in 1878.

Some revision is attempted: White offers a moderate correction to works such as Berthrong's *Southern Cheyenne* and Grinnell's *Fighting Cheyenne*; Jerry Keenan reviews the Wagon Box Fight to deny the exaggerated uses of the wagons; and James King defends General Crook's caution in retaining his position at Camp Cloud Peak during the Sioux outbreak of 1876. The articles show scholarship and afford one more opportunity to reread the circumstances surrounding the battles. The research from government sources and previously published monographs is good, but the writing is uneven. Footnotes appear at the end of each article which is awkward.

Also some of the articles appear in the January, 1972, *Journal of the West*. Of the new pieces several read like papers in a graduate seminar. In describing the events of the Sand Creek Massacre, White denies that Sand Creek was "the primary cause of all subsequent troubles with those tribes," but that "The basic cause of future conflict between the Indians and whites on the Central Plains was the rapid advance of white civilization. . ." Yet, his article contains little information on Indian attitudes which reveal the impact of Sand Creek on the plains tribes.

There may be a "fascination" about the Indian wars, but the time has

come to deal with the present. At the Western Historical Conference in 1973, John Caughey reminded listeners that work remains to be done in the twentieth century. Contemporary topics are as controversial as the Plains Indian Wars and would certainly benefit from the scholarship of the contributors to this book. In the meantime libraries interested in this material are advised to purchase the January, 1972, *Journal of the West.*

Robert Markman
Missouri Southern State College

PERSONS AND PLACES OF INDIAN TERRITORY. By C. W. "Dub" West. (Muskogee: Muscogee Publishing Company, 1974. Pp. 236. $8.95.)

One of the most encouraging events to occur within the past few years pertaining to the heritage and history of Oklahoma is the increased interest in and attention to community and local history. The past decade has seen a number of excellent local books that have made fine additions to an Oklahoma library. Realizing that the appeal is inherently local with a limited market, it is exciting to note the merit of the finished product. High-grade paper, many illustrations, careful composition and worthwhile bindery processes lend much to the quality of the finished product.

"Dub" West has done a fine job in preserving with care and in great detail vignettes of the heritage of Indian Territory. The volume contains twenty chapters, each in effect a separate story or history and each dealing with a community, a family or an event of importance. Each chapter is illustrated in profusion and is a storehouse of dates, names, family relationships and place names.

The edition is limited to 1,000 copies, each numbered and inscribed. An index would be helpful; however, this may be overlooked with the realization that each of the twenty chapters is separate and distinct from the other. The author is to be commended for adding this meritorious contribution to the ever growing shelf of Oklahoma, local and regional history.

George H. Shirk
Oklahoma City, Oklahoma

A HISTORY OF FRENCH LOUISIANA, VOLUME I, THE REIGN OF LOUIS XIV, 1698–1715. By Marcel Giraud and Translated by Joseph C. Lambert. (Baton Rouge: Louisiana State University Press, 1974. Pp. xiii, 398. Illustrations, Maps, Bibliography, Index, Appendix, $15.00.)

When Volume One of Marcel Giraud's work *A History of French Louisiana* was first published in 1953 it was hailed as an attempt to write a "defini-

tive history of French Louisiana." Volumes Two and Three have since been published and Professor Giraud is at present working on Volume Four. Being published in French limited its appeal and a translation has for some time been advocated by scholars.

Joseph C. Lambert has performed a valuable service in translating, into English, Giraud's original work with its "archaic technical terms." Before the English version went into print Professor Giraud revised and corrected the manuscript to insure its authenticity. However, the work suffers from grammatical weaknesses, undoubtedly caused by the desire to adhere as closely as possible to the original French.

The work begins after the Peace of Ryswick, with Louis de Pontchartrain's attempt to follow up La Salle's efforts to establish French control over the lower Mississippi and link it to New France. The author of this often wordy narrative weaves a story of the attempts at colonization by the Crown and later by Proprietor Antoine Crozat.

In scholarly fashion, with the utmost attention to detail, Giraud describes the colony's struggle to survive, agricultural attempts, Indian relations, penetration of Louisiana's interior, commercial possibilities, religious initiatives and diplomatic dealings with Britain and Spain.

The book concentrates on the settlements of the Biloxi and Mobile areas with less attention devoted to Natchez, Natchitoches and de la Boulaye.

Well documented evidence is presented of Iberville's involvement in fraudulent practices. The implication of wrongdoing extends to Iberville's associates, his wife and brother Sérigny. The conclusion is inescapable that the "Founder of Louisiana" was a thief. Conflicts between La Mothe and Bienville, the Foreign Missions and the Jesuits, and LaVente and Bienville are described in detail.

When Professor Giraud writes of Bienville's incident at English Turn (p. 80) he identifies the captain of the English corvette as a man called Bond. Most other authorities give the name as Captain Lewis Banks.

An attempt to write a definitive work has doubtlessly led to the verbose nature of the work. This prolixious characteristic would probably preclude its appeal to the general public but its value to the scholar is certainly evident.

James L. Barnidge
Nicholls State University
Thibodaux, Louisiana

AMONG THE MESCALERO APACHES: THE STORY OF FATHER ALBERT BRAUN, OFM. By Dorothy Emerson. (Tucson: The University of Arizona Press, 1973. Pp. xiii, 224. Illustrations. Map. Bibliography. Index. $7.50.)

Father Albert Braun first went to the Mescalero Apache Reservation in New Mexico in 1916, and worked among the Indians periodically for thirty years. During his career he was also superintendent of the Saint John's Indian School, a Franciscan institution at Komatke, Arizona; Father Guardian at San Luis Rey in California; chaplin for the Civilian Conservation Corps and a military chaplin during both world wars. During the latter conflict he was a prisoner of the Japanese.

Dorothy Emerson who knows and admires Father Braun has written a curious book that is biographical in style but ignores the last several decades of Braun's career. The title is misleading, for although the emphasis is on Father's Braun's years among the Mescaleros, considerable space is given to the war years and other topics. Relying heavily on interviews with Father Braun and numerous others, the author does not include footnotes, but does take the liberty of recreating dialogue as part of her text.

Described as a direct and energetic man who made things happen, Father Braun emerges as a heroic figure. His determination to build a new church at Mescalero, which became a central part of his career, was ultimately rewarded after many years of labor with a massive stone structure that is a monument to his efforts. Although Braun was among the Mescaleros for a long period of time during a difficult transitional period for most Indian tribes in the United States, the author fails to adequately assess his impact upon religious attitudes of the Indians; nor does she describe his views regarding changes in federal Indian policy during these years. *Among the Mescalero Apaches* is a disappointingly incomplete biography of a highly regarded figure in the religious history of modern New Mexico.

Richard N. Ellis
The University of New Mexico

☆ FOR THE RECORD

ANNUAL MEETING OF THE OKLAHOMA HISTORICAL SOCIETY

APRIL 26, 1974

President George H. Shirk called the eighty-second Annual Meeting of the Oklahoma Historical Society to order at 9:30 A.M., April 26, 1974, in the Auditorium of the Historical Building. Acting Director Jack Wettengel gave the invocation.

President Shirk said that the meeting was truly of special significance to all of the Society because of the untimely loss of Dr. V. R. Easterling, and recognized Professor Melvin L. Korn, a friend and colleague of Dr. Easterling, to give a tribute to him. Mr. Korn first met Dr. Easterling as a young man and told of his personal memories of Dr. Easterling. He spoke of his scholarship and warmth, his deep love for people and love of his country and its heritage.

The Board of Directors of the Society, as well as the staff, were introduced to those in attendance. Miss Florence O. Wilson, the special guest of the meeting in 1973, and Dr. Maurice Merrill were also recognized.

Mr. Shirk recognized Dr. LeRoy H. Fischer to make a presentation to Mrs. Rella Looney, Oklahoma Historical Society Indian Archivist for forty-five years. She first worked with Dr. Grant Foreman in Muskogee, who realized her unusual ability and urged her to come to Oklahoma City. Dr. Fischer stated that because of Mrs. Looney, the Society's Indian archival material is the best-indexed collection in the country. Many years ago she took on the herculean task of indexing *The Chronicles of Oklahoma*, at that time some 20,000 pages. In 1959 she compiled the yearly indexes into a Cumulative Index. Her efforts made *The Chronicles* a usable tool for researchers.

Mr. Roger B. Charlesworth, Director of the Oklahoma City Community Foundation, was introduced by President Shirk. This organization is managing on behalf of the Society the Muriel H. Wright Heritage Endowment Fund, which was established to present a $300 honorarium yearly to the best article appearing in *The Chronicles of Oklahoma*. Mr. Charlesworth said that the status of the fund represents the devotion and esteem the contributors have for Dr. Wright. He read the Society's Certificate of Commendation, to be presented to Miss Wright, and a certificate from the

Foundation bound in leather. Mrs. Mildred Frizzell accepted the certificates in Miss Wright's absence, and expressed Miss Wright's delight with the Spring, 1974 issue of *The Chronicles*. Miss Wright had commented that Dr. Fischer's article about her in that issue had inspired her to write her own biography and that of her grandfather, Allen Wright.

Mr. Shirk expressed the concern of the Society for Representative Lou Allard, a member of the Board of Directors, and for Mrs. Boydstun, wife of Board Member Q. B. Boydstun. Mr. Shirk announced that through the efforts of Mr. Allard in the legislature the Society will now be able to occupy the entire Oklahoma Historical Society Building. The Society is deeply grateful for his work.

Mr. Fisher Muldrow moved that the actions of the officers and of the Board of Directors of the past year be approved by the membership. Mr. E. Moses Frye seconded the motion, and it was passed.

May 4, is the date set for the annual Heritage Club meeting. Mr. Wettengel said the all-day session will be held in the Historical Building.

Another eventful date for the Society's May calendar is the May 17 dinner honoring Astronaut Colonel William Reid Pogue. At that time, Colonel Pogue will present to the State of Oklahoma the commemorative flag carried by him on the flight of Skylab IV, in November of 1973. The dinner will be held at 6:30 P.M. in the Scarab Room of the Student Union Building, Oklahoma City University. Governor David Hall is to proclaim Friday, May 17, 1974, "Colonel William R. Pogue Day" in Oklahoma.

There being no further business, Mr. McIntosh moved to adjourn to the Southgate Inn for the Carl Albert Luncheon. The motion was seconded by Mrs. Bowman, and carried.

W. D. FINNEY, VICE PRESIDENT

JACK WETTENGEL, ADMINISTRATIVE SECRETARY

Mr. Earl Boyd Pierce moved the annual meeting adjourn; Mr. W. E. McIntosh seconded, and the motion carried.

GEORGE H. SHIRK, PRESIDENT

JACK WETTENGEL, ADMINISTRATIVE SECRETARY

A TRIBUTE TO DR. V. R. EASTERLING, GIVEN BY MELVIN L. KORN ON APRIL 26, 1974, AT THE ANNUAL MEETING OF THE OKLAHOMA HISTORICAL SOCIETY

It is certainly an honor for me to be invited to come before you to express my heartfelt feelings about a man who had more fine and admirable qualities than any man I have ever known. Of course I am speaking of the late Verlin Robert Easterling. I first knew him as Verlin and I no doubt will refer to him as Verlin rather than Bob.

Before I get into my personal relationships with Verlin I shall read a portion of the Editor's column that appeared in the *Tonkawa News* on January 28.

> I've never forgotten the first time I met Dr. V. R. Easterling. It was in the Coffee shop of the Tonkawa Hotel in the summer of 1953. It's not hard to spot a stranger in a little town and after I introduced myself, I found this stranger was the new president of Northern Oklahoma Junior College.
>
> My first impression of the man has never changed.
>
> I got the feeling that here was a real pusher, someone who could not sit still and watch things happen around him. He was a whirlwind looking for a place to light. He had the energy and drive for two people. He could never be faulted for being lazy or lackadasical about anything.
>
> Doc was good for Northern Oklahoma College. He came at a time when the school needed some new spizz and direction. At the time he took over, enrollment had dwindled to a point where it was seriously discussed by some legislators that the school be done away with. This talk didn't last long though. It wasn't long before things were happening at the college. V. R. hired some good faculty, many are still with the college. He established the policy that the school's facilities would be made available to the community for worthwhile purposes.
>
> Doc's interests were not limited to his field of endeavor, education. He took an active part in the affairs of his church and his first true love, the U.S. Navy. He was one of the few who served during World War II and then stayed active in the reserves after that time. He advanced to the rank of captain in the Naval Reserve and was highly regarded by many of the top officers in Washington. . . He loved the Navy and served it well. . . .
>
> We cannot judge the wisdom of the Almighty in taking Bob Easterling when he did. He was wound too tight and had too many unfinished projects to have lingered long as a bedfast cripple. He accomplished much with his life and was active to the last. I'm sure that's the way he would have wanted it.

My acquaintance with Verlin dates back to the mid 1930s when he was a teacher and coach at Selman, Oklahoma, in Harper County and I was Superintendent of a consolidated school in western Woodward County. Our

schools competed against each other in basketball. I became very much impressed with Easterling's calm and jovial disposition, unusual qualities for a Coach.

In 1937 Verlin went to Turpin, Oklahoma, as Superintendent of Schools and I went to Selman.

A good teacher is one who learns the characteristics of his students. Dr. Easterling was no exception. He learned their ideals and aspirations, their sense of moral and spiritual values, their goals and ambitions and their dispositions. With this knowledge it came as no surprise to me that Verlin became very much interested in one of his pupils while at Selman by the name of Bonnie Mae Bennett. I too learned of Bonnie's fine qualities. You see, my wife and I also had her as a pupil.

What were Dr. Easterling's greatest attributes? First of all he possessed all the qualities that makes a man both great and good.

To begin with he was a very scholarly individual. He attended a one room country school—graduating from the eighth grade by taking the county eighth grade examinations. He graduated with honors—completing the eight grades by the time he was eleven years of age. He attended Central Academy, a Free Methodist high school at McPherson, Kansas. He was president of his senior class and also its Valedictorian—graduating at the age of fifteen. He later attended college at Northwestern at Alva where he was also president of his class and the Valedictorian. He later attended Colorado University—receiving his Masters and Doctors degrees. His wonderful command of the English language and his vast knowledge of so many things marked him as a true scholar.

I heard a speaker a few weeks ago make the statement that one of the best qualities of a successful man was his ability to see the humor in life. As a school administrator Dr. Easterling solved many problems of frustrated faculty and staff members by finding something to joke and laugh about. I know, I was one of those faculty members. He greeted everyone with a smile followed by a remark that would result in a chuckle. That genuine smile, warm handshake and characteristic chuckle exuded a warmth of friendship never to be forgotten.

Dr. Easterling had a genuine and sincere love for his fellow man. He truly loved people. His interest in people placed him on first name speaking terms with more people than any one I have ever known. This included people in the highest positions as well as the rank and file of the masses. When he went downtown in Tonkawa he had a first name greeting, warm handshake and smile for everyone he met.

Verlin would often go down to the livestock sale barn of an evening and associate with men where profanity abounded. While he did not approve

of profanity he believed that a friendly association could be more helpful than ostracizing and condemning. Those cowhands loved him for his willingness to associate with them. Yes, Verlin truly loved people.

Another of Verlin's fine qualities was his profound and deep love for his country and its heritage.

In 1941, I was Superintendent of Schools at Boise City and Dr. Easterling was Superintendent of Schools at Montezuma, Kansas. Soon after Pearl Harbor my wife and I were visiting the Easterlings and Verlin and I discussed the various branches of the armed services, and which one we would probably join. I supposed he would wait until after the close of school in June before enlisting. But, about the middle of March I received a letter from him from Norfolk, Virginia. He had enlisted in the Navy and was in the Physical Fitness program which he recommended to me. I joined the same program in June. But Verlin couldn't wait until June, he was willing and anxious to give his services and life, if necessary, for his country. He did not have to engage in military duty. School Superintendents were eligible for deferment.

As you no doubt know his military record was an outstanding one. He was soon commissioned and placed aboard an escort vessel giving escort and protection to our fleets crossing the North Atlantic.

Dr. Easterling remained in the Active Naval Reserve until his death, advancing to the rank of Captain. While in the Reserve he became a personal friend and respected consultant to our top military leaders. In the summer of 1961 his active military duty was to accompany Admiral Arleigh Burke, Chief of Naval Operations, to a meeting of the Big Four of NATO. After the Big Four meetings he visited other NATO offices in Western Europe as a consultant and discussant.

Those of you who have been members of the Oklahoma Historical Society are aware of Dr. Easterling's interest and love for our American Heritage. He was forever alert to objects, places and ideas that would help to preserve and perpetuate that heritage.

While in Tonkawa he had a marker placed at the sight of the Yellow Bull crossing of the Salt Fork just west of Tonkawa. One day Verlin and I were driving past the old Three Sands Oil Field and he made the remark that something should be done to symbolize the oil fields of the boom days. A few months later he had the maintenance crew of the college construct a replica (but much smaller in dimensions) of the old wooden derricks that marked the skyline of the oil fields of the 1920s. A few years after Easterling left Northern the derrick was taken down because it had become weakened by termites. While at Tonkawa he also helped organize the Pioneer Woman Historical Museum at Ponca City.

But the most outstanding quality of Dr. Easterling was his Spiritual life. He had an everlasting, perpetual, deep and understanding love and appreciation of God. You couldn't be around Verlin very long without sensing this spiritual quality. There was no fanaticism and no emotionalism about his religion. It was a living religion that was with him at all times.

Dr. Easterling best expressed his spiritual self through his writings, especially his poetry.

My wife and I were visiting in the Easterling home a few weeks ago and Bonnie got out a box that was filled with poems that he had written. Most of them were written while he was traveling, while aboard a plane, in a hotel room or driving along in an automobile. Many of them written on the backs of envelopes, bulletins, scratch paper, wrapping paper—whatever was handy at the time. We had time to read only a few of the many things he had written. His poems had to do prinicipally with the spiritual, but many had to do with life as he saw it and lived it. His writings of prose and poetry are outstanding. We were amazed at the quality, the beauty, the inspirations and the lessons portrayed in the rather large collection. I pray that they will be prepared and presented for publication.

The phrase originally expressed by Fitz-Greene Halleck—"None knew thee but to love thee and named thee but to praise" is very fitting to Dr. Easterling.

Again, I am grateful for having had the privilege to know and work with Dr. V. R. Easterling and to know and to associate with his wonderful family. We have known their four children since birth.

A TRIBUTE TO RELLA LOONEY GIVEN BY DR. LeROY H. FISCHER ON APRIL 26, 1974 AT THE ANNUAL MEETING OF THE OKLAHOMA HISTORICAL SOCIETY

Rella Looney has always held a lofty place in the Oklahoma Historical Society and in the hearts of all who know her. Possibly because she began work on September 9, 1929, in a lofty place—the fifth floor attic of the Federal Building in Muskogee where her task was to sort and catalogue Indian records assembled there which were to become the magnificent five million page plus Indian Archives collection visited by scholars and others from all over the United States and different countries of the world.

Mrs. Looney had been chosen by Dr. Grant Foreman for this tremendous task because of her abilities that have seen the development of this collection into one of the top notch Indian research centers in the United States. A thousand or more scholars and serious students over the years could attest to this fact. And from her careful assembling and indexing of many portions

of it, and her vast knowledge not only of Indian but Oklahoma history have come hundreds of articles and books that have carried her fame and that of the Archives everywhere. The list of scholarly books in which she is gratefully acknowledged reads like a "who's who" in American Indian anthropological and historical works.

On November 14, 1934, Dr. and Mrs. Foreman and Mrs. Looney came to Oklahoma City where the Indian records were to be placed in the new Oklahoma Historical Society Building. At first her office and the collection were in the room now occupied by the Publications Department. Later, it was discovered that the weight of the collection necessitated its being moved to the ground floor where her office was in the room now occupied by the Veterans of Foreign Wars office in the southeast corner of the building. Later the Indian Archives was moved to its present location. All during this time Mrs. Looney has continued to index and refine the collections' accessibility and usefulness to the researcher and more casual user.

But not only researchers of books and articles and theses and dissertations use the Archives. It has been an important place of information for Indian people, whose records they have been, and who have come and searched the documents to learn about their history and their culture, or to find the names of their ancestors so that they could be placed on the rolls of their tribes and claim their just portions of the judgments made in their behalf by the United States Indian Court of Claims in fulfilment of treaty obligations made by our government. Lawyers involved in these claim cases have been ably assisted by Mrs. Looney for many years.

Then there are others. How many times has Mrs. Looney heard, "I think my Grandpa was living in the Indian Nation, in the 1880s or 1890s—do you have anything on him?" Perhaps, she had information, or perhaps nothing could be found, but she will look and do everything possible to help the visitor, no matter what his request.

Aside from the responsibility of the Archives which she carried all by herself for forty-two years, Mrs. Looney for her own use and that of her department began to index *The Chronicles* many years ago. When this was discovered, she was asked to do the tremendous task of compiling each and every index since that time, plus the 1,600 page manuscript of the cumulative index for volumes I through XXXVII. For this she made *The Chronicles* a usable tool, something that may not impress the casual observer, but is certainly appreciated by the student and anyone who is looking for any subject or person contained in the 24,000 pages of *The Chronicles* to date. For this undertaking alone she should be given another dozen diamonds for her diadem.

Then there is Mrs. Looney herself. Has anyone ever left the Indian

Archives without feeling that here was a person who truly wished to assist them in finding out what they wanted to know? Who was interested in them as a person and would not leave a stone unturned to help them? Never!

She has many times framed the nebulous questions we asked into a concrete form which guided the researcher more surely toward his goals and made his final work a finer thing than it would have been without her ideas.

Never impatient, always good humored, always considerate and tactful—in the face of what must sometimes seem like our aggravated cases of obtuseness. She is careful to shield our egos from being punctured by the careful way she lets us know that we are barking up the wrong tree. This many remember her for above all things.

Never does she just stop at the minimal response to queries, but digs and digs and digs like an archival archeologist searching through the layers of information to reach the basalt layer where there is no more to be found. She, like a magician, can pull forth a whole hat full, nay, a whole barrel full of relevant facts on any subject contained in her archives. She is truly remarkable. Everyone knows this. Everyone loves her. We salute her forty-five years' contribution to the Society as one of the finest ever made by any individual.

REMARKS OF ROGER B. CHARLESWORTH AT ANNUAL MEETING OF OKLAHOMA HISTORICAL SOCIETY

At the time of her retirement and, I am sure, on many other occasions, persons more eloquent and better qualified than I have paid tribute to Muriel Wright and her tremendous contribution to the preservation of Oklahoma heritage.

As a relative newcomer to Oklahoma I only recently became aware of *The Chronicles of Oklahoma*, but since I discovered what I had been missing, I have read every copy I could get my hands on. It is truly the finest publication of its kind that I have ever encountered. I am sure that Miss Wright's long and devoted service as Editor of *The Chronicles* has put a stamp of excellence on it that will endure for many generations to come.

In my capacity as Executive Director of the Oklahoma City Community Foundation and on behalf of the Trustees of the Foundation, it is my privilege and honor to present to Muriel H. Wright this leather bound certificate commemorating the establishment of the Muriel H. Wright Heritage Endowment Fund in the Oklahoma City Community Founda-

tion. The certificate is signed by John E. Kirkpatrick on behalf of the Community Foundation and George H. Shirk on behalf of the Historical Society.

This Fund was established and created to further the long-time work of Dr. Wright in a better knowledge and appreciation of the heritage of Oklahoma by the publication of a scholarly journal known as *The Chronicles of Oklahoma*. The earning of the Fund will be used annually to make an award not in excess of $300 to the author of the best article appearing during the year in *The Chronicles* on any subject which in the opinion of the judges does most to further the appreciation of the heritage of Oklahoma.

I am happy to report that in the short time that it has been in existence the Fund has grown to almost $2,000 which has been contributed by twenty-five individuals. It appears that the Endowment Fund is well on its way to becoming of sufficient size to accomplish its intended purpose for the indefinite future.

It is also my privilege and honor at this time to present to Miss Wright this Certificate of Commendation from the Oklahoma Historical Society.

I want to thank the Officers and Members of the Oklahoma Historical Society for inviting me to be with you today and share the distinct honor of paying tribute to Miss Muriel Wright by the presentation of these certificates.

MINUTES OF THE QUARTERLY MEETING OF THE BOARD OF DIRECTORS OF THE OKLAHOMA HISTORICAL SOCIETY
April 26, 1974

The Quarterly Meeting of the Board of Directors of the Oklahoma Historical Society was called to order at 10:50 A.M. on Friday, April 26, 1974 by Vice President W. D. Finney. President George H. Shirk and First Vice President H. Milt Phillips were unable to attend the meeting.

Mr. Finney requested Acting Director Jack Wettengel to call the roll. Those answering were Mrs. George L. Bowman, O. B. Campbell, Joe W. Curtis, Harry L. Deupree, M.D., Dr. LeRoy H. Fischer, Mrs. John D. Frizzell, E. Moses Frye, Nolen J. Fuqua, W. E. McIntosh, Dr. James Morrison, Fisher Muldrow, Earl Boyd Pierce, Jordan B. Reaves, Miss Genevieve Seger and H. Merle Woods. Those asking to be excused were Lou S. Allard, Henry B. Bass, Q. B. Boydstun, Bob Foresman, Denzil D. Garrison, Dr. A. M. Gibson, John E. Kirkpatrick, H. Milt Phillips and

George H. Shirk, Miss Genevieve Seger moved that these members be excused. The motion was seconded by Mr. McIntosh and passed.

Mr. Muldrow introduced his guest, law professor Dr. Maurice H. Merrill, University of Oklahoma, who was of the class of 1922. Mr. John Thompson, introduced by Mr. Curtis, was also of that class. Mr. Reaves' guest was Mr. Leonard Ball of Thompson, Hudgins and Ball.

Mr. Finney asked for the report of Acting Director Wettengel who announced the welcome news of complete occupancy of the Historical Building by the Historical Society. Since the building's completion in 1930, five other state agencies have been sharing space, but through the efforts of Representative Allard, the second session of the Thirty-fourth Oklahoma Legislature directed that the building should be assigned solely to the Oklahoma Historical Society. This will make available nearly 6,000 square feet of desperately needed space. Extensive roof repairs are also being made to the building by the State Board of Public Affairs, Building and Grounds Division.

Mr. Wettengel reported that the Society's appropriation for fiscal year 1974–1975 probably will be in excess of 1.4 million dollars. However, this includes many funds which are earmarked and are channeled through the Society for projects throughout the state. The Society's operations were reviewed in detail by a special subcommittee of the Senate Appropriations Committee consisting of Senator John L. Dahl, Senator Donald F. Ferrell and Senator Jim Taliaferro.

After a number of years of negotiations, Fort Gibson will be transferred to the Historical Society from the Tourism and Recreation Department. This transfer was arranged during this session, said Mr. Wettengel. Mr. Wettengel also said a new museum at Waurika, the Chisholm Trail Museum, and the Museum of the Western Prairies at Altus will be transferred from Tourism and Recreation to the Oklahoma Historical Society this session.

Mr. Pierce moved to approve the Treasurer's report; Mr. Frye seconded, and it was carried.

Mrs. Bowman presented to the Society from the president of the Oklahoma State Federation of Women's Clubs, Mrs. Vern Firestone, the second of a series of Bicentennial commemorative milk glass plates. Plate Number 1, entitled "The Seeds are Sown," was presented in 1973. Plate Number 2 depicts "Life, Liberty and the Pursuit of Happiness."

Dr. Fischer pointed out the 1967 edition of *Tour on the Prairies*, a very popular publication of the Society, is obsolete due to so many changes in the state highway system. He moved that Mr. Shirk be requested to revise the

route to conform with 1974 highways. The motion was seconded by Mr. Muldrow and was adopted.

Mr. Pierce asked for:

> unanimous consent for me to express my desire for the official minutes to show that as an individual and as a member of the Board I have to disassociate myself personally from the John Ross article printed in the current issue (Vol. 52, No. 1) of *The Chronicles* for the following reasons: In my opinion, (1) the unwholesome reflection on the integrity of John Ross is utterly unjustified; and (2) it suggests that the leaders of the so-called Treaty party of the Cherokee Nation who signed in 1835 were corrupt in every particular, and that such suggestion is likewise devoid of any basis in fact.

Mr. Pierce went on to state that a report of Grant Foreman's *A Traveler in Indian Territory*, stated that John Ross was honest, and that the Supreme Court held directly on the point that that particular treaty was imposed on the Cherokees. *The Chronicles*, said Mr. Pierce, states that the signers were corrupt. People have called Mr. Pierce, retired General Counsel for the Cherokee Nation, and voiced protests. Mr. Pierce advised that if any member of the Board wished, he would write to them more fully on the subject. He pointed out that he intended no criticism of the motives of the Publications Committee or the editorial staff of *The Chronicles*, but felt it was a slip-up to let the article be printed as written.

Mr. Reaves stated that Board members could not impose their opinions on articles appearing in *The Chronicles*, but that any Board member could write his own version of a particular subject and the editor would receive anything Mr. Pierce wished to submit. Mr. Reaves said that the Board should not take action in this matter.

Mr. Frye asked that he also be disassociated from the article and that his request be shown as a part of the minutes.

Other Board members expressed their opinions. Dr. Fischer observed that he felt this to be a very significant moment—he felt the response of the Board members relived this 1830s period in history.

Mr. Pierce recalled the wish voiced at the occasion of his retirement dinner —"Let us have peace and unity among the Cherokees."

Mr. McIntosh reported on the development of the five and one-half years' effort of various individuals to preserve the Creek Council Oak in Tulsa. Through long and arduous negotiations, the City of Tulsa now owns this historic site.

The Historic Sites Committee met at 9:00 A.M. and Mr. McIntosh reported on the discussion of the Honey Springs, Tullahassee, and Coweta sites.

Work has started on the South Barracks at Fort Washita, according to Dr. Morrison. He extended an invitation for all to attend the annual Fish Fry at the Fort on Saturday, June 1.

Mr. Wettengel, speaking for the Publications Committee, asked for a motion proposed by the editor of *The Chronicles*, Dr. Kenny Franks, that a letter of appreciation from the Board be sent to the staff of the University of Oklahoma Press expressing appreciation for their efforts in bringing the schedule of *The Chronicles* to a current status for the first time in many years. Miss Seger so moved; Mrs. Frizzell seconded, and the motion was passed unanimously.

Dr. Fischer, Museum Committee Chairman, reported on the construction and installation of new case fronts by the museum exhibits staff. Plans are to install new fronts throughout the museum at a cost of approximately $25.00 per case. Also, the building was completely fumigated and a contract signed for regular retreatment, according to Dr. Fischer.

Mrs. Frizzell reported that ninety-nine persons had requested membership in the Society. In addition, Captain C. C. Coley, C. E. Jones and Joan Kachel had applied for life memberships. Miss Seger moved to accept these applications; Mr. Muldrow seconded the motion, and it was passed.

Mr. Wettengel asked to make several announcements: The Board members were urged to scatter through the crowd at the Carl Albert Luncheon at Southgate Inn immediately following the Board meeting and greet those attending. In addition, the Board members were invited to attend the unveiling of the Carl Albert marker in McAlester, April 27. The City of McAlester extended an invitation to the Board members to attend the ground-breaking ceremonies for a McAlester Community Center following the marker dedication.

GIFT LIST FOR FIRST QUARTER, 1974

LIBRARY:

The Lindsay Clan—April 15, 1972. Compiled and Edited by Mrs. Joe T. Dutton and Mrs. Virgel A. McMillan of Odessa and Marshall, Texas.

Donor: Mrs. Doris Gimpel, Oklahoma City for United Daughters of the Confederacy, Chapter 2255.

Oklahoma Panhandle—A History and Stories of No Man's Land by Louis Maynard, 1956.

Donor: Mrs. J. W. Gaither, Norman, Oklahoma.

Walker Evans—Photographer. Introduction by John Szarkowski, the Museum of Modern Art, New York, 1971.

Donor: Charles Tilghman, Oklahoma City, Oklahoma.

Oklahoma Collegiate Athletic Conference—Football Yearbook for 1972, 1973, 1973–1974.
Donor: Henry C. Hawkins, Oklahoma City, Oklahoma.

"Comments by Errett R. Newby About Dean J. C. Buchanan's First Ten Years at the University, 1892–1903."
Donor: Errett R. Newby, Oklahoma Ctiy, Oklahoma.

Oklahoma State Expenditures in Brief—June 30, 1973.
Donor: G. R. Hadley, Executive Vice-President, The Kerr Foundation, Inc., Oklahoma City, Oklahoma.

The Sooner of Progress 1925—Yearbook Annual of University of Oklahoma, Norman, Oklahoma.
Numerous programs of The Mummers Theatre of Oklahoma City, Oklahoma.
National Treasure Hunters League, Vol. II, No. 4, 1971.
A Conservative Civil Rites Seminar—American Opinion Speaker's Bureau of Belmont, Massachusetts.
Venture—The Traveler's World, Vol. II, No. 3, June 1965.
Saturday Review, March 12, 1966.
Sunset, August 1963.
"Missouri Mills and Covered Bridges"—The Missouri Tourist Commission, Jefferson City, Missouri.
The Saturday Evening Post, February 8, 1969.
Mastery of Life—The Ancient and Mystical Order Rosae Crucis.
Soviet Union Today.
Donor: Ms. Myrtle L. Brown, Oklahoma City, Oklahoma.

Microfilm: "Part of a Branch of the Reynolds-Kellogg Families" by George Washington Reynolds, 1897, Houston, Texas.
Copy of letter to George W. Reynolds, 1901 from son-in-law, Uriah Lott.
Copy of Garrison-Boddie Family Genealogy.
"Drabeck Family Genealogy" by Will and Jim Drabeck and Grace Drabeck Smith of Oklahoma.
Donor: Mrs. Bernard Boyle, Oklahoma City, Oklahoma.

Raymond Genealogy—Descendants of Richard Raymond by Samuel Edward Raymond, C. G. Raymond assisted by Louvera Horn Raymond. Vol. I, Part 3.
Donor: Authors, Seattle, Washington.

The MacDowell Club of Allied Arts—Year Book 1972–1973, Oklahoma City, Oklahoma.
Greater Oklahoma City Preaching Mission, March 23–April 6, 1952.
Donor: Mrs. Lucile Laws, Oklahoma City, Oklahoma.

John Skelton of Georgia by Colonel John W. Skelton, United States Air Force (Ret.), 1969.
Donor: Author, Brightwood, Virginia.

Notes on the Ethnology of the Indians of Puget Sound by T. T. Waterman, 1973; from Indian Notes and Monographs, Miscellaneous Series Number 59 of Heye Foundation.

Donor: Museum of the American Indian, Heye Foundation, New York.

Microfilm: Marriage Index Number 1 and Number 2.
Marriage Records Number 1A, 1B, 2A and 2B, Pottawatomie (County B), May 18, 1892 to October 3, 1898, Indian Territory.
Donor: Judge and Mrs. Glen Carter, Shawnee, Oklahoma.

Allied Families—A History. Xeroxed copies.
Donor: John Cheek, Oklahoma City, Oklahoma.

The Autobiography of Charles Francis Colcord 1859–1934 by D. K. Higginbotham; Book Number 268 listing Dr. V. R. Easterling as owner.
McCurtain County and Southeast Oklahoma by W. A. Carter of Broken Bow. An autographed reprint edition of original 1923 publication.
The Cattle-Trailing Industry—Between Supply and Demand 1866–1890 by Jimmy M. Skaggs, 1973.
Donor: Mrs. Bonnie Easterling and Family, Edmond, Oklahoma.

Lincoln County Tennessee Pioneers, Vol. III, Nos. 1, 2 and 4., 1973.
Donor: Clark Hibbard, Oklahoma City and Ardmore, Oklahoma.

The Carolina Genealogist, No. 16, Fall, 1973.
Maryland Genealogical Society Bulletin, Vol. XIV, No. 4, November, 1973.
The Circuit Rider, Sangamon County Illinois Society.
The Treesearcher, Vol. XV, No. 4, 1973. Index, Vol. XV.
St. Louis Genealogical Society Quarterly, Vol. VI, No. 4, 1973.
Heart of Texas Records, Vol. XVI, No. 3, 1973.
The Researcher, Number 49, January, 1974.
The Genie, Vol. VIII, No. 1, January, 1974.
The Johnson County Genealogist, Vol. I, No. 4, 1973.
Gens Nostra, 1973.
Car-Del Scribe, Vol. X, 1973.
Midwest Genealogical Register, Vol. VIII, 1973.
Illinois State Genealogical Society Quarterly, Vol. V, 1973.
Flashback, Vol. XXIII, 1973.
Kentucky Ancestors, Vol. IX, 1974.
The Backtracker, Vol. II, 1973.
The Historical Society Mirror, Vol. XIX, 1973.
Kern-Gen, Vol. X, 1973.
Genealogical Forum Bulletin, Vol. XXIII, 1973.
Austin Genealogical Society, Vol. XIV, 1973.
Northland Newsletter, 1973.
West Virginia Echoer, 1974.
Footprints, Vol. XVI, 1973.
Excerpts from *Early Day History of Perry* by E. W. Jones.
Orange County California Genealogical Society, Vol. X, 1973.
Connecticut Ancestry, Whole Number 105, 1973.
Echoes, Vol. XIX, 1973.
"Ansearchin'" News, Vol. XX, 1973.
The Kansas Historical Society, Autumn 1973.
Beaver Briefs, Vol. V, 1973.

The Louisiana Genealogical Register, Vol. XX, 1973.
Oregon Genealogical Society, Inc., Vol. XII, 1973.
Local History and Genealogical Society Quarterly, Vol. XIX, 1973.
The Tallow Light, Vol. VII, 1973–74.
The Western Link, Vol. II, 1973.
Ash Tree Echo Index, Vol. VIII, 1973.
The Prairie Gleaner, Vol. IV, *Index*, 1972–1973.
Michigan Heritage, Vol. XIV, 1973.
Donor: Oklahoma Genealogical Society, Oklahoma City, Oklahoma.

Erle P. Halliburton, Genius With Cement by J. Evetts Haley, 1959.
Collection of *The Cementer* publication of Halliburton Oil Well Cementing Company, Duncan, Oklahoma, Vol. I, No. 1, 1944 (20th Anniversary)—Vol. XXIX, No. 6, November-December, 1973.
A Decade Of Progress 1934, Halliburton Oil Well Cementing Co., 10th Anniversary Issue.
Halliburton Service Price List, 1956.
Halliburton Sales and Service Catalog, 1956.
Your Trip Through Halliburton, Duncan, Oklahoma, 1957.
Donor: Ms. Louise Sager, Duncan, Oklahoma.

Ray Spradling Collection of early documents relative to Oklahoma City development and history.
Donor: John T. Spradling, son, Oklahoma City, Oklahoma.

"Wilmont Place Baptist Church 1923–1926, Oklahoma City, Oklahoma" by M. M. Steele.
Donor: Mr. and Mrs. Murry M. Steele, Oklahoma City, Oklahoma.

Oklahoma Historical Society Custodian's Report, 1907–1908, W. P. Campbell, Custodian.
Donor: George Norvell, Tulsa, Oklahoma.

Historical Report of the Secretary of State (Arkansas) by C. G. "Crisp" Hall, Secretary of State, 1958.
Donor: Ms. Lila Hixon, Oklahoma City, Oklahoma.

Genealogy Records for Daughters of the American Revolution: Warren-Dudley-Sebastain and Allied Families, compiled by Mrs. Paul H. Dolman (nee Mary Louise Pittman), 1973.
Donor: Compiler of Philadelphia, Pennsylvania, by Oklahoma Department of Libraries.

"Johnsonville (old and new) and Johnson Family Records" by D. W. Johnson, 1973.
Donor: Author, Oklahoma City, Oklahoma.

The Donelson Family by Mrs. Jane Battle Jones of California.
Donor: Mrs. James R. Cowles, Tulsa, Oklahoma.

Reese Kelso Watkins His Ancestry and His Descendants and Collateral Lines by Frank B. Russell, 1973.
Donor: David W. Morgan of Temple, Oklahoma through Great Plains Chapter of the Sons of the American Revolution.

"The Champlain Valley in the American Revolution."
Donor: New York State Library, Albany, New York.

Lay Family Genealogy—Lays of Oklahoma and Texas and Tennessee, by J. Gilbert Lay, 1973.
Donor: J. Gilbert Lay, Cook Station, Missouri.

Ad Libs to Bixby History—50th Anniversary of Citizens Security Bank and Trust.
Donor: George L. Brown, Pres. Citizens Security Bank and Trust, Bixby, Oklahoma.

There's Not A Bathing Suit in Russia by Will Rogers. Book Number 23 of 50 Presentation Copies. Edited with Introduction by Joseph A. Stout, Jr., 1973.
Donor: Joseph A. Stout, Jr.

International Correspondence Schools Reference Library. 2 vol. set.
Facon-Eisen-Verzeichniss von Jacobi, Haniel and Huyssen auf Gutehoffnungschutte zu Sterkrade (Rheinpreussen), 1872.
Drafting Pages and Lesson Sheets of V. J. Kramer, March 24, 1916.
Pages from *Needlecraft*: June, March, December 1911.
Music Lessons by Correspondence from The Columbian Conservatory of Music—1908.
Sheet Music: "The Robin's Lullaby" by C. W. Krogmann.
"Morning Prayer" by Streabbog, L.
"Shepherd's Evening Song" by J. M. Baldwin.
"Sunshine Polka" by Edwin V. McIntyre.
"Primrose Dance" by C. W. Krogmann.
"Rosita Waltz" by L. Streabbog.
The New Testament of Our Lord and Saviour Jesus Christ, 1887.
Ray's Elementary Arithmetic (For Beginners), 1879.
Hours of Idleness—The Earl of Carlisle, 1807.
A Second Course in Algebra, Newell & Harper, 1923.
Lalla Rookh—An Oriental Romance by Thomas Moore.
Little Journeys To The Homes of Great Lovers, Vol. XIX by Elbert Hubbard, 1906. Copy is autographed "To Hon. George Pepperdine with All Kind Wishes from his friend, Elbert Hubbard."
The Victrola Book of the Opera, 1924.
Collection of Correspondence, clippings re early Oklahoma history.
Donor: Mrs. Kathleen Kramer Stone, Oklahoma City, Oklahoma.

Persons and Places of Indian Territory by C. W. "Dub" West, 1974. Autographed copy 64 of 1,000 first edition.
Donor: Author, Muskogee, Oklahoma.

Letters to Sarah Ann Olds Johnson Written to Her by Her Relatives and Friends Between 1857 and 1887. Edited by Mary Chalfant Ormsbee, 1972.
Donor: Editor/compilor of Boulder, Colorado, by Oklahoma State Department of Libraries.

Certificate for Shares No. 65; Producers Creamery Company of Orlando, Oklahoma issued to George W. Schrage, December 3, 1925.
Deed/General Warranty by Carl Brase of Orlando to Trustees St. Pauls Church, Orlando, September 4, 1904.

Certificate for four shares No. 112: Covington I. O. O. F. Building Association issued to J. E. Schaefer, October 1, 1920.
Certificate for three shares No. 49: Covington Hotel Company issued to J. E. Schaefer, June 19, 1920.
Abstract of Title No. 1955 to NE¼ of Section 25, Township 19 N, Range 2 W of Indian Meridian, Logan County, Oklahoma Territory by Fred K. W. Brown; January 6, 1904.
Certificate of Incorporation Territory of Oklahoma to H. C. Arnold, E. E. Cowman and D. L. Kinnamon of Orlando for German-American Telephone Company of Orlando, February 11, 1905. Collection of Town Warrant, Surety Bonds, etc. from Bank of Orlando.
Collection of Oklahoma clippings.
Donor: Harold E. Muller, Edmond, Oklahoma.

Copy of State of Oklahoma Public Building Fund Bond, No. 6, Series No. 28.
Donor: K. J. Schwoerke, Oklahoma City, Oklahoma.

Microfilm: *Colonel Francis Epps—His Ancestors and Descendants* by Eva Turner Clark.
Donor: Mrs. Adelia Steward Sallee, Norman, Oklahoma.

Life and Death of an Oilman: The Career of E. W. Marland by John Joseph Mathews, 1951. A Special Edition published by University of Oklahoma Press for the Continental Oil Company.
Donor: Warren L. Jensen, Management Coordinator, Continental Oil Company.

Back Issues (40) *The Oklahoma Baptist Chronicle*, 1960–1967.
The Falls Creek Story by Dr. J. M. Gaskin, 1967.
Annals of O. B. U. by Uncle Jimmy Owens, 1956.
Baptist Milestones in Oklahoma by J. M. Gaskin, 1966.
Andrew Potter—Baptist Builder by Sam W. Scantlan, 1955.
Thomas Bert Lackey—The Man and an Epoch by Sam W. Scantland, 1971.
A Question Once Asked by Argyle M. Briggs, 195.
Not Yours But You by W. A. Carleton, 1954.
Donor: Dr. J. M. Gaskin, Durant, Oklahoma.

Supplement 1972–1973 to Ancestors, Contempory Relatives, Descendants, Allied Families of Marie Sophie Jeannin Gaume by Mrs. E. O. Price of Knob Noster, Missouri.
Donor: Compiler by Mrs. A. Williams, Sapulpa, Oklahoma.

Kaw Reservoir—The Southern Section by Charles L. Rohrbaugh, Archaeological Site Report No. 25, Oklahoma River Basin Survey, 1973.
A Report on Excavations in the Waurike Reservoir, Jefferson County, Oklahoma by John D. Hartley, Archaeological Site Report No. 26, Oklahoma River Basin Survey, 1974.
Donor: Oklahoma River Basin Survey, Norman, Oklahoma.

Miscellaneous Files 1948–1954 of Oklahoma City Branch of the National League of American Pen Women.
Donor: Dr. Robert B. Howard, in memory of wife, Marjorie N. Howard, Oklahoma City, Oklahoma.

We Were Young Together by Charles L. Roff, 1973.
Donor: Author for the McClain County Historical Society and Curator, Ms. Hesse.

A Historical Study on the Collapse of Indian Constitutions by Denmei Ueda, Associate Prof. of Constitutional Law, Shizuoka University, Japan, January 1972. Entire text is in Japanese only.
Donor: Author, Shizuoka, Japan.

Histoire de la Famille—Magnon. Compiled from History and Traditions—1907, by Alice Marguerite Magnon.
Donor: Victoria Guidroz Davis, Oklahoma City, Oklahoma.

Wingfield Family History: A Xeroxed copy.
Donor: Mrs. Doyle (Mary) Wingfield, Oklahoma City, Oklahoma.

Brand Book of the Cherokee National Stockmen's Protective and Detective Association —John A. Foreman, Vinita, Indian Territory ca 1884. Reprint in September of 1973 done by John W. Schleppey.
Donor: John W. Schleppey, Seattle, Washington.

Index for Harbison, Graveston Knox County Tennessee and The Graves Genealogy by Thomas Howe R. Neal, 1973.
Donor: Compiler, Knoxville, Tennessee.

Sage and Sod Harper County Oklahoma 1885–1973, Volume I, 1974. Compiled and published by Harper County Historical Society.
Donor: Ms. Virginia Boldes, Laverne, Oklahoma.

A History of the Mississippi Supreme Court, 1817–1948 by John Ray Skates, Jr., 1973.
Donor: Mississippi Bar Foundation, Inc., Jackson, Mississippi.

The Elementary Spelling Book, 1880 by Noah Webster.
Donor: Willie Faye Wood, Oklahoma City, Oklahoma.

The Holy Bible.
Donor: Jessie Davis, Oklahoma City, Oklahoma.

Three framed Civil War letters ca 1863.
Original Muster Roll Company E, 34th Regiment of the State of Illinois under Captain Henry Weld. Handwritten.
One personal scrapbook of Gilstrap family.
Clothing Book of Company E, 34th Regiment of the State of Illinois State Volunteers during the Civil War.
Descriptive Book of Company E, 34th Regiment of the Illinois State Volunteers during the Civil War.
Donor: Colonel Lee Gilstrap, Claremore, Oklahoma.

A History of Oklahoma's First American Legion Post—Tulsa, Oklahoma, by George E. Norvell.
Donor: Author, Tulsa, Oklahoma.

From Where the Sun Now Stands by W. D. "Dick" Grisso, 1963.
An Eye-Opener to Europe by J. R. Simpson.
Donor: James T. Jackson, Pauls Valley, Oklahoma.

Marion T. Brown: Letters From Fort Sill 1886–1887, edited by C. Richard King, 1973.
Donor: Mrs. J. W. Gaither, Marshall, Texas.

Microfilm: 1790 Census for North Carolina.
Donor: Ms. Aline Jean Trainor, Oklahoma City, Oklahoma.

An Oklahoma Builder by Walter Nashert, 1970.
Steuben Glass, Christmas, 1973.
German Psychological Warfare—Survey and Bibliography. Edited by Ladislas Farago, 1941.
Public Hunting Lands of Oklahoma, Oklahoma Department of Wildlife Conservation Commission, October, 1973.
Outdoor Recreation Action—Report 29, United States Department of the Interior, Bureau of Outdoor Recreation, 1969.
Hoofprints, Vol. III, No. 2, Fall-Winter, 1973.
"Christmas in a Nebraska Soddy" by Charles S. Reed.
Poems by Wayne and Arti Haynes, Moore, Oklahoma.
Frank and Jane Phillips and their Home by Elmer J. Sark, 1973.
"National Trust for Historic Preservation Board of Advisors 1974."
Historic Preservation Week Kit, 1973.
"Contract providing for the permanent location of the Seat of Government and Capitol of the State of Oklahoma," December 29, 1910.
Agreement between Lee Cruce and State Capitol Building Company, May 18, 1912.
Federal Register of Department of the Interior National Park Service, National Register of Historic Places, Vol. XXIX, No. 34, Part 2, February 19, 1974.
Applications of Archaeology to Historical Work by Ronald C. Corbyn, Oklahoma Museums Association Bulletin No. 2, Oklahoma City, Oklahoma February 15, 1974.
Current Public Transit Service and Riding Patterns Oklahoma City, Oklahoma by Wilbur Smith and Associates, October 1965.
The New York Chapter of WAIF—16th Annual Jade Ball, November 29, 1973.
Bicentennial in Oklahoma July 4, 1976 and other National Bicentennial information pamphlets.
Names—Journal of the American Name Society, Vol. XXI, No. 4, December 1973.
Directory of Governmental Officials in the Central Oklahoma Area (ACOG)—Association of Central Oklahoma Governments, September 1968.
Following publications of The Newcomen Society—Seven items.
"A Century of Security"—The Story of the Travelers Insurance Companies by Morrison H. Beach.
The Midland Mutual Life Insurance Company—"The Pearl of the Midwest" by James B. McIntosh.
The Gulf and Western Story by Charles B. Bluhdorn.
Zurn Industries, Inc.—The Evolution of Environmentalism by Everett F. Zurn and Frank W. Zurn.
The Sunset Story—"To Serve the Westerner—and no one else!" by L. W. Lane, Jr.
The American Bar Association—A Brief History and Appreciation by Robert W. Meserve.
Serving Needs in Health and Nutrition—The Story of Miles Laboratories, Inc. by Walter Ames Compton, M.D.
Military Collector and Historian—Journal of The Company of Military Historians, Washington, D.C., Volume XXV, No. 3, Fall 1973.

Articles of Incorporation and By-Laws, 1973 of Red River Valley Historical Association, Southeastern State College, Durant, Oklahoma.

Donor: George H. Shirk, Oklahoma City, Oklahoma.

PHOTOGRAPHS:

Agent's Residence at Sac and Fox Agency picturing Johnson and Che-quam-ko-ko, Kickapoo; also Col. and Mrs. S. L. Patrick, Harriet Patrick, Lola Hoffman and Lee Patrick.

Class of 1894, Haskell Institute: George Primeaux (Ponca), George Shawnee (Shawnee), Jesse White (Miami), John Plake (Muncie), Catherine Walker (Ottawa), William Pollock (Pawnee), Gertrude Washington (Shawnee), Earnest Oshkosh (Menomonee) and Lucinda Frigon (Pottawatomie).

Unidentified Haskell Institute Class group identifying only two members—Jerdin Faber and James Vandal.

Charley Keokuk, Sac and Fox.

Eight unidentified Sac and Fox Indians in photographs.

One of buffalo.

Wau-Ko-Mo, a Sac and Fox Indian.

Nom-mol-wah, a Sac and Fox Indian.

Two photographs of group of five unidentified individuals dressed as full-blood Indians and playing a card game.

One unidentified group of World War I soldiers.

Donor: Colonel Lee P. Gilstrap of Claremore, Oklahoma in memory of his mother, Harriett Patrick Gilstrap.

Large, framed group photograph taken by Swearengen of Members of the House of Representatives, Eighth Legislative Assembly, 1905 at Guthrie.

Donor: Leslie L. Craig, Midwest City, Oklahoma.

John Shanks, United States Marshal of Fort Smith, Arkansas—Killed at Fort Gibson ca 1897.

Donor: Inez Cole, Bartlesville, Oklahoma.

Three unidentified photographs of Carlisle Indian School football teams.

Two panoramic by Wishwall of Denver of Third Annual Conference Society of American Indians on Wild Cat Point of Lookout Mountain Park, Colorado, October 16, 1913.

Panoramic view of 59th Anniversary of Treaty Day Celebration at Tulalip, Washington, January 22, 1914, of tribes Snohomish, Swinnomish, Snoqulmie, Su-Quamish, Skagit and Lummi. None of large group are individually identified.

Donor: Mrs. Gus Welch, Bedford, Virginia.

Two photographs of early oil well drilling operations at old Dillard Pool in Carter County ca 1920, of Halliburton Association.

Donor: Ms. Louise Sager, Duncan, Oklahoma, by Nolen Fuqua.

Postal photograph of an oil lease in Creek County (Oilton or Kellyville Field) ca 1914–1915.

Donor: Mrs. L. W. Johnson, daughter of original wner, A. Davis of Edmond, Oklahoma.

Tiny folder "W. P. Campbell, Custodian-in-Charge State Historical Society, Oklahoma City. Photograph taken February 21, 1919."

Donor: John M. Kinney, Texas State Archives, Austin, Texas.

"La Mer: A Photographic Tribute" collection of photographs in black and white of Dr. Guy Fraser Harrison in rehearsal of Debussey's "La Mer" taken by DeWitt Kirk.
Donor: DeWitt B. Kirk, Oklahoma City, Oklahoma.

Early day Oklahoma wooden derrick oil well at Bristow.
Donor: Mrs. Alene Simpson, Edmond, Oklahoma.

"A Longhorn"—copy of pen and ink sketch done by H. C. Zachry.
Donor: Bernard Buie, Stamford, Texas.

Guthrie—May 11th (1889) photograph taken by Wm. C. Prettyman.
Donor: Muncy Rece, Ardmore, Oklahoma.

One sepia photograph of Oliver York and Brewer W. Key with six unidentified Indians and one small unidentified white girl.
One sepia of York-Key Mercantile Company business firm at old Supply (later Fort Supply).
Donor: Mrs. Frances Rosser Brown, Muskogee, Oklahoma.

Nine photographs taken by Irwin of Chickasha, Indian Territory: Kiowa papoose, Comanche squaw and papoose, Kiowa Indian Camp near Anadarko, Comanche camp near Anadarko, Kiowa squaw with papoose in cradle-board, Millie Oytant in elk-tooth decorated buckskin dress, Arapaho Indian Camp near El Reno, small Kiowa children and Apache squaw carrying wood on her head.
Donor: Allen Hahn, Lamesa, Texas.

INDIAN ARCHIVES DIVISION:

Report quarterly meeting Inter-Tribal Council Five Civilized Tribes, January 11, 1974.
Donor: Muskogee Area Office, Muskogee, Oklahoma.

Xerox copies of data describing the United States Army Dougherty Wagon or "Ambulance."
Donor: Mrs. John Frizzell, Oklahoma City, Oklahoma.

Dissertation, "Health and Medical Care of the Southern Plains Indians 1868–1892," by Virginia Ruth Allen, Oklahoma City, Oklahoma.
Donor: Author.

Wassaja, Vol. II, No. 1, January 1974.
Donor: American Indian Historical Society, San Francisco, California.

OIO Newsletter, January 1974.
Donor: Mrs. Martha Blaine, Oklahoma City, Oklahoma.

Letter dated April 5, 1938 from William Durant, giving genealogy of the Durants living in Oklahoma.
Donor: Richard Beaty, by Jim Bernardy, Oklahoma City, Oklahoma.

Jicarilla Apache Tribe v. U.S., Docket No. 22-K: Findings of Fact; Final Award.
Gila River Pima-Maricopa Indian Community v. U.S., Docket No. 236-E: Opinion; Findings of Fact; Interlocutory Order.

Confederated Tribes of Goshute Reservations v. U.S., Docket No. 326-B: Opinion; Order.
Hopi Tribe v. U.S., Docket No. 196 Count 9: Opinion; Order.
Hopi Tribe v. U.S., Docket No. 196, and *Navajo Tribe v. U.S.*, Docket No. 229: Order.
Ira Sylvester Godfrey, et al, on relation of Miami Tribe v. U.S., Docket No. 124H: Order.
Oneida Nation v. U.S., Docket No. 301 (Claim 8): Order.
Ottawa-Chippewa Tribe of Michigan v. U.S., Docket No. 364: Opinion; Order.
Pueblo of Taos v. U.S., Docket No. 357-A: Opinion; Findings of Fact.
Pueblo of Taos v. U.S., Docket Nos. 357, 357A & 357B.
Pueblos de Zia, de Jemez & de Santa Ana v. U.S., Docket No. 137: Findings of Fact; Order.
Seminole Indians, of Florida v. U.S., Docket No. 73A: Order.
Lower Sioux Indian Community in Minnesota v. U.S., Docket No. 363 (Second claim Act of 1904): Opinion; Amendment to and additional Findings of Fact; Order.
Sioux Nation of No. and So. Dakota, Nebraska and Montana v. U.S., Docket No. 74B: Opinion; Findings of Fact.
Donor: Indian Claims Commission, Washington, D.C.

MUSEUM:

Vases, bottles, parasol and other items from donor's family.
Source: Mrs. Betty Honnold Neely, El Cerrito, California.

Pharmaceutical documents.
Source: Mrs. Elizabeth G. Bullard, Noble, Oklahoma.

G.A.R. sword and scabbard.
Source: L. M. Bush, Oklahoma City, Oklahoma.

Dress and underskirt.
Source: Mrs. James Jenkins, Oklahoma City, Oklahoma.

Photograph, subject Thomas Jefferson McCoy, Chickasaw.
Source: Mrs. Mildred Davis, Tishomingo, Oklahoma.

Photograph of Chickasaw Council House ca 1930.
Source: Mrs. Jack Warden, Tishomingo, Oklahoma.

Cant hook with handle; portion of original tombstone of Nancy Harris, second wife of Chickasaw Governor Cyrus Harris.
Source: L. L. Shirley, Wynnewood, Oklahoma.

Bookcase with collection of books, ca 1920; tintype; hotel key.
Source: William A. Russell, Tulsa, Oklahoma.

Sewing machine with attachments and accessories.
Source: Mrs. Garland Keeling, Tulsa, Oklahoma.

Military uniforms; Osage artifacts presented to Colonel Samuel E. Patrick, Agent for Sac and Fox tribe of Chief Keokuk; and other items.
Source: Lt. Colonel Lee Gilstrap, Claremore, Oklahoma.

Collection of seventeen historical portraits and paintings, previously displayed by donor, the artist, at the Oklahoma Historical Society Museum.
Source: Mrs. Irene Bradford, Oklahoma City, Oklahoma.

Portrait, subject Raymond D. Gary, by Larry Pendleton.
Source: The Honorable Raymond D. Gary, Madill, Oklahoma.

Bronze bust, subject Judge Robert A. Hefner, by Leonard McMurray.
Source: The Hefner Company, by Robert A. Hefner, Jr., Oklahoma City, Oklahoma.

Historical painting, "Spring Creek near Locust Grove," previously displayed by donor, the artist, at the Oklahoma Historical Society Museum.
Source: Mrs. Katherine Coombes, Sand Springs, Oklahoma.

Watch; handkerchief; documents.
Source: Estate of of Helen E. Heath, by Mildred Hepner and Ruby Frey, Executrices, Woodward, Oklahoma.

Linens; dish.
Source: Mr. and Mrs. Emmanuel Schonwald, Oklahoma City, Oklahoma.

Photographic scales and recipe for film developer.
Source: Mr. and Mrs. Finis Stewart, Oklahoma City, Oklahoma.

Union army uniform.
Source: Lieutenant Colonel Lee Gilstrap, Claremore, Oklahoma.

NEW ANNUAL MEMBERS*

January 25, 1974 to April 26, 1974

Arganbright, Mrs. Jim	Tuttle
Bagwell, Tom	Idabel
Ballew, Pat	Cookson
Banks, Larry D.	Tulsa
Bayless, Keith N.	Camp Hill, Pennsylvania
Bolding, Cecil	Oklahoma City
Bonham, Howard Bryan, Jr.	Dallas, Texas
Breeden, Robert	Oklahoma City
Buford, Betty	Wagoner
Burroughs, Betty Lee	Tahlequah
Carter, Ruth Eloise	Broken Arrow
Chaffin, Mrs. John J.	Oklahoma City
Chenworth, Mrs. Ada L.	College Park, Georgia
Cook, Mrs. O. Z.	Ponca City
Craig, Bob	Shawnee
Cummings, Charles E.	Bartlesville
Davis, Zoe	Tahlequah
Delly, Mrs. Daniel	Lawton
DeVault, Clay F.	Muskogee
Dickenson, Richard	Reston, Virginia
Diehl, Dr. Leonard R.	Oklahoma City
Dodson, Mrs. Virgie E.	Muskogee
Easterling, Mrs. Bonnie M.	Edmond
Edmondson, Ed	Muskogee
Ernst, Mrs. Paul	Tahlequah
Fergason, Frank D.	Oklahoma City
Finch, David	Muskogee
Fisher, LeRoy T.	Oklahoma City
Fisher, Paul A., Jr.	Lawton
Flusche, Ernest A.	Oklahoma City
Girdlen, Lynne C.	San Juan Capistrano, California
Green, James L., Jr., M.D.	Muskogee
Haggard, Larry	McCurtain
Hale, Douglas	Stillwater
Hall, Lois Gillis	Oklahoma City
Haywood, Mrs. Rush	Edmond
Henry, Jim	Washington, D.C.
Hettick, Norma J.	Bartlesville
Hill, Mrs. O. E.	Muskogee
Hisel, Helen E.	Sand Springs
Hixon, Mrs. F. E.	Oklahoma City
Holt, Esther Doepel	Ponca City
Huffaker, Carl L.	Oklahoma City
Humphries, Wanda F.	Tuttle
Hurd, Mrs. Louise G.	Oklahoma City
Hutchings, Juanita	Latour, Missouri

Impastato, Nancy	Studio City, California
Ingle, Donald E.	Tulsa
Johnson, Roland M., Jr.	LaPuente, California
Johnson, Mrs. T. Sam	Edmond
Johnston, Winifred	Norman
Jordan, Ruby	Muskogee
Kerr, William G.	Norman
Kettleman, Mrs. Edmund Taylor	Bartlesville
Lackey, Jay, Jr.	Muskogee
Lafferty, R. A.	Tulsa
Langley, Mrs. Edwin	Muskogee
Ledbetter, Ted	Edmond
Lee, Mrs. Lawrence A.	Ponca City
Lewis, Warner	Tulsa
Maddox, J. M.	Tipton
Martinez, Marion J.	Oklahoma City
McClung, Donald R.	Lubbock, Texas
McCullar, Marion Ray	Oklahoma City
McPherrew, D. A.	Oklahoma City
Miller, Dr. James R.	Cookson
Mitchell, Mrs. Pearl	Oklahoma City
Montague, Lawrence	Oklahoma City
Moyer, Floyd M.	Oklahoma City
Nash, Helen C.	Oklahoma City
Poe, Mrs. Jacqueline K.	Broken Arrow
Prescott, Guy	Los Angeles, California
Procter, Charles	Muskogee
Procter, Mrs. George B.	Muskogee
Procter, Palmer	Muskogee
Rider, Mrs. Shirley W.	Tulsa
Rogers, Mrs. Olive	Fort Gibson
Rood, R. F.	Bartlesville
Ross, Mrs. Charles A.	Proctor
Rough, Marie	Oakland, California
Sanders, Charlotte Mayes	Tahlequah
Sanders, Sam M.	Tahlequah
Smith, Mrs. Tom E.	Stillwater
Snelson, Grover	Checotah
Spradling, Catherine Boudinot	Muskogee
Starr, Mrs. Mayes	Tahlequah
Stephenson, Larry E.	Ponca City
Summers, Frank	San Jose, California
Sutton, Lt. Frank W.	Muskogee
Swearingen, Dale D.	Oklahoma City
Sweet, Joe W.	Del City
Tate, Mrs. Juanita J.	Ardmore
Tydings, Mrs. Burton	Enid
Vann, Noah E.	Muskogee
Varner, Mary A.	Edmond

Walbert, T. W.	Oklahoma City
Walker, Oklahoma	Fort Gibson
Walter, Nadine C.	Kingfisher
Woods, Mrs. John P.	Fort Smith

NEW LIFE MEMBERS

January 25, 1974 to April 26, 1974

Coley, Captain Charles C., USN (Ret.)	Oklahoma City
Jones, Charles E.	Oklahoma City
Kachel, Joan	Goodwell

* All members in Oklahoma unless otherwise designated.

THE OKLAHOMA HISTORICAL SOCIETY

ıe Oklahoma Historical Society was organized by a group of Oklahoma Territory wspaper men interested in the history of Oklahoma who assembled in Kingfisher, ay 27, 1893.

ıe major objective of the Society involves the promotion of interest and research in klahoma history, the collection and preservation of the State's historical records, ctures, and relics. The Society also seeks the co-operation of all citizens of Oklahoma gathering these materials.

he Chronicles of Oklahoma, published quarterly by the Society in spring, summer, tumn, and winter, is distributed free to its members. Each issue contains scholarly icles as well as those of popular interest, together with book reviews, historical notes, d bibliographies. Such contributions will be considered for publication by the Editor d the Publications Committee.

embership in the Oklahoma Historical Society is open to everyone interested. The arterly is designed for college and university professors, for those engaged in research Oklahoma and Indian history, for high school history teachers, for others interested the State's history and for librarians. The annual dues are $5.00 and include a subiption to *The Chronicles of Oklahoma*. Life membership is $100.00. Regular subiption to *The Chronicles* is $6.00 annually; single copies of the magazine $1.50 unss otherwise stipulated by the Historical Society office. All dues and correspondence ating thereto should be sent direct to the Executive Director, Oklahoma Historical ciety Building, Oklahoma City, Oklahoma.

CONSTITUTION OF THE OKLAHOMA HISTORICAL SOCIETY

Article VI, Section 5—*The Chronicles of Oklahoma* shall publish the minutes of the meetings of the Board of Directors and of the Society; and shall pursue an editorial policy of publication of worthy and scholarly manuscripts dealing with all aspects of Oklahoma or regional history, including necrologies, reviews, reprints of journals and reports and other activities of the Society. It shall not interest itself in the publication of manuscripts of a political or controversial nature.

CONSTITUTION OF THE OKLAHOMA HISTORICAL SOCIETY

Article I, Section 2—The purposes for which the Oklahoma Historical Society is organized and conducted are to preserve and to perpetuate the history of Oklahoma and its people; to stimulate popular interest in historical study and research; and to promote and to disseminate historical knowledge. To further these ends and, as the trustee of the State of Oklahoma, it shall maintain a library and museum in which it shall collect, arrange, catalog, index and preserve books, pamphlets, newspapers, magazines, manuscripts, letters, diaries, journals, records, maps, charts, documents, photographs, engravings, etchings, pictures, portraits, busts, statuary and other objects of art and all other appropriate museum material with special regard to the history of Oklahoma. It shall perpetuate knowledge of the lives and deeds of the explorers and pioneers of this region; it shall collect and preserve the arts and crafts of the pioneering period, the legends, traditions, histories and cultural standards of the Indian tribes; it shall maintain a collection of the handiwork of the same, and an archaeological collection illustrating the life, customs and culture of the prehistoric peoples. It shall disseminate the knowledge thus gained by investigation and research through the medium of printed reports, bulletins, lectures, exhibits or other suitable means or methods. It shall discharge all other duties and responsibilities placed upon it by the Legislature of the State of Oklahoma.

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THE CHRONICLES OF OKLAHOMA

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Editor, Oklahoma Historical Society, 2100 North Lincoln, Oklahoma City, Oklahoma 73105.

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the
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OF OKLAHOMA

Volume LII *Winter 1974–1975* Number 4

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THE COVER Frederic Remington, one of America's best known Western artists, traveled through present-day Oklahoma during the 1880s while returning from a visit to Arizona Territory. During his journey through Indian Territory, he paused briefly at Fort Sill, Anadarko and Fort Reno to sketch the colorful Plains Indians located on nearby reservations. The illustration on the cover is Remington's impression of the still proud Comanche warriors on their reservation near Fort Sill.

AMONG THE PLAINS TRIBES IN OKLAHOMA WITH FREDERIC REMINGTON

*Edited by Kenny A. Franks**

One of America's best known western artists, Frederic Remington used his sketches and paintings to record the twilight of the American frontier. Born on October 4, 1861, in Canton, New York, Remington first came to the West in 1880 when he was only twenty-one years old. The decision to leave the East was the result of his failure to win the hand of Eva Adele Caten, with whom he had fallen in love. Previously, in the summer of the same year, he had asked Eva to marry him; however, her father, even though he liked Remington's attractive personality and healthy vigor, believed that his future held few promising signs necessary for supporting a family and refused to allow the young couple to be married.[1]

With his pride deeply hurt, the young artist turned to the West where he hoped he could achieve the success Eva's father required before approving of their wedding. Eventually Remington purchased a small mule ranch near Peabody, Kansas, but he soon discovered that his interest was not in the enterprise. Thus, in the early spring of 1884 he sold his holdings and began his travels which would take him throughout the West.[2]

Later, as Remington's fame began to spread he published a series of articles in eastern magazines describing his travels. Two of these articles concerned his reminiscences of a visit to the Plains Indians near Fort Sill and Fort Reno in present-day Oklahoma during the 1880s. These articles are the conclusion of Remington's description of several Indian reservations he had visited while returning from a trip to Arizona Territory. Written in a journalistic style, they provide great insight to the life of the Plains tribes during the era of their conversion to the ways of the whites. The following is Remington's own narrative, accompanied by his sketches of the scenes he

---

* The author is currently editor of *The Chronicles of Oklahoma.*

[1] Dumas Malone, ed., *Dictionary of American Biography* (22 vols., New York: Charles Scribner's Sons, 1935), Vol. XV, p. 496; Robin McKown, *Painter of the Wild West: Frederic Remington* (New York: Julian Messner, Inc., 1959), p. 54; Harold McCracken, *Frederic Remington: Artist of the Old West* (Philadelphia: J. B. Lippincott Company, 1947), pp. 31–32.

[2] *Ibid.*, pp. 33–38; McKown, *Painter of the Wild West: Frederic Remington*, pp. 54–55.

described. The original articles appeared in *The Century magazine*, and only occasional brackets and footnotes have been added to aid in identification.[3]

After coming from the burning sands of Arizona the green stretches of grass and the cloud-flecked sky of northern Texas were very agreeable. At a little town called Henrietta [Texas] I had entered into negotiations with a Texas cowboy to drive me over certain parts of the Indian Territory. He rattled up to my quarters in the early morning with a covered spring-wagon drawn by two broncos so thin and small and ugly that my sympathies were aroused, and I protested that they were not able to do the work.

The driver, a smart young fellow with his hat brim knocked jauntily back in front, assured me that "They can pull your freight, and you can bet on it." I have learned not to trust to appearances regarding Western ponies, and so I clambered in and we took up our way.

The country was a beautiful rolling plain, covered with rank, green grass and dotted with dried flowers. Heavily timbered creeks interlaced the view and lessened its monotony. The sun was hot, and the driver would nod, go fast asleep, and nearly fall out of the wagon. The broncos would quiet down to a walk, when he would suddenly awake, get out his black snake whip, and roar "mule language" at the lazy creatures. He was a good fellow and full of interest, had made the Montana trail three times with the Hash Knife outfit, and was full of the quaint expressions and pointed methods of reasoning peculiar to Western Americans. He gave me volumes of information concerning Comanches and Indians in general; and while his point of view was too close for a philosophical treatment of the case, he had a knowledge of details which carried him through. Speaking of their diet, he "allowed anthing's grub to an Injun, jus' so it hain't pisen."

We came at last to the Red River, and I then appreciated why it was called red, for its water is absolutely the reddest thing I ever saw in nature. The soil thereabouts is red, and the water is colored by it. We forded the river, and the little horses came so near sticking fast in the middle that my cowboy jumped out up to his waist and calmly requested me to do the same. I did, but to the ruin of a pair of white corduroys. We got through, however, and were in the [Indian] Territory. Great quantities of plums, which the Indians gather, grow near the river.

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[3] Frederic Remington, "On the Indian Reservations," *The Century*, Vol. XXXVIII, No. 3 (July, 1889), pp. 394–405; Frederic Remington, "Artist Wanderings Among the Cheyennes," *The Century*, Vol. XXXVIII, No. 4 (August, 1889), pp. 536–545.

In due course of time we came in sight of Fort Sill, which is built of stone, in a square around a parade of grass, and perched on rising ground. The plains about were dotted with the skulls of cattle killed for ration day. Sheds of poles covered with branches dotted the plains, and on our right the "big timber" of Catch [Cache] Creek looked invitingly cool.

At Fort Sill I became acquainted with Mr. Horace P. Jones the Comanche interpreter, who has lived with that tribe for thirty-one years. He is an authority on the subject of Indians, and I tried to profit by his knowledge. He spoke of one strange characteristic of the Comanche language which makes their speech almost impossible to acquire. Nearly all Comanches are named after some object in nature, and when one dies the name of the object after which he was named is changed and the old word is never spoken again. Mr. Jones often uses one of the words which a recent death has made obsolete, and is met with muttered protestations from his Indian hearers. He therefore has to skirmish round and find the substitute for the outlawed word.

The Comanches are great travelers, and wander more than any other tribe. Mr. Jones has known Comanches to go to California, and as far south as Central America, on trips extending over years. They are a jolly, round-faced people, who speak Spanish, and often have Mexican blood in their veins—the result of stolen Mexican women, who have been ingrafted into the tribe.

The Comanches are less superstitious than Indians are generally. They apply an amount of good sense to their handling of horses which I have never seen among Indians elsewhere. They breed intelligently, and produce some of the most beautiful "painted" ponies imaginable. They take very good care of them, and in buying and selling have no lessons to learn from Yankee horse-traders. They still live in lodges, but will occupy a good house if they can obtain one. About this thing they reason rather well; for in their visits to the Caddoes and the Shawnees they observe the squalid huts in the damp woods, with razor-back hogs contesting the rights of occupancy with their masters, and they say that the tepee is cleaner, and argue that if the Shawnees represent civilization, their own barbarism is the better condition of the two. However, they see the good in civilization and purchase umbrellas, baby-carriages, and hats, and of late years leave the Winchester at home; although, like the Texan, a Comanche does not feel well dressed without a large Colt[4] strapped about his waist. Personal effects are all sacrificed at the death of their owners, though these Indians no longer

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[4] Colt .45 revolver.

"Kiowa Buck Starting a Race"

destroy the horses, and they question whether the houses which are built for them by the [United States] Government should be burned upon the death of the tenant. Three or four have been allowed to stand, and if no dire results follow the matter will regulate itself.

The usual corps of Indian scouts is camped under the walls of Fort Sill, and is equally divided between the Comanches and the Kiowas. They are paid, rationed, and armed by the Government, and are used to hunt up stray Government horses, carry messages, make arrests among their own people, and follow the predatory Texas cowboy who comes into the Territory to build up his fortunes by driving off horses and selling corn-juice[5] to the Indians.

The Comanches are beginning to submit to arrests without the regulation exchange of fusillade; but they have got the worst of Texas law so long that one cannot blame them for being suspicious of the magistracy. The first question a Comanche asks of a white stranger is, "Maybe so you Texas cowboy?" to which I always assure them that I am a Kansas man, which makes our relations easy. To a Comanche all bad men are "Texas cowboys," and all good people are "Kansas men."

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[5] Liquor.

At the scout camp I was allowed to sketch to my heart's content, and the people displayed great interest in the proceedings.

The morning of the Fourth of July found Mr. Jones and me in the saddle and on the way to the regulation celebration at the agency below the post. The Fourth of July and Christmas are the "white man's big Sundays" to the Indians, and they always expect the regular horse-race appropriations. The cavalrymen contribute purses and the Indians run their ponies. Extra beeves are killed, and the red men have always a great regard for the "big Sundays."

As we approach the agency it is the hour for the race, and the throng moves to some level plain near, where a large ring is formed by the Indians on horseback.

An elderly Indian of great dignity of presence steps into the ring, and with a graceful movement throws his long red blanket to the ground and drops on his knees before it, to receive the wagers of such as desire to make them. Men walk up and throw in silver dollars and every sort of personal property imaginable. A Winchester rifle and a large nickly-plated Colt's revolver are laid on the grass near me by a cowboy and an Indian, and then each goes away. It was a wager, and I thought they might well have confidence in their stakeholder—mother earth. Two ponies, tied head and head, were led aside and left, horse against horse. No excitement seemed to prevail. Near me a little half-Mexican Comanche boy began to disrobe until he stood clad only in shirt and breech-cloth. His father addressed some whispered admonition and then led up a roan pony, prancing with impatience and evidently fully conscious of the work cut out for him that day. With a bound the little fellow landed on the neck of the pony only half way up; but his toes caught on the upper muscles of the pony's leg, and like a monkey he clambered up and was in his seat. The pony was as bare as a wild horse except for a bridle, and loped away with his graceful little rider sitting like a rock. No, not like a rock, but limp and unconcerned, and as full of the motion of the horse as the horse's tail or any other part of him.

A Kiowa with loose hair and great coarse face broke away from the group and galloped up the prairie until he stopped at what was to be the starting-point, at the usual distance of "two arrow flights and a pitch." He was followed by a half a dozen ponies at an easy lope, bearing their half-naked jockeys. The Indian spectators sat about on their ponies, as unmoved in contenance as oysters, being natural gamblers, and stoical as such should be, while the cowboys whispered among themselves.

"That's the bay stallion there," said one man to me, as he pointed to a racer, "and he's never been beaten. It's his walk-over, and I've got my gun up on him with an Injun."

"Indian Horse-Race—Coming Over the Scratch"

It was to be a flying start, and they jockeyed a good deal and could not seem to get off. But presently a puff of smoke came from the rifle held aloft by the Kiowa starter, and his horse reared. The report reached us, and with a scurry the five ponies came away from the scratch, followed by a cloud of dust. The *quirts*[6] flew through the air at every jump. The ponies bunched and pattered away at a nameless rate, for the quarter-race pony is quick of stride. Nearer and nearer they came, the riders lying low on their horses' necks, whipping and ki-yi-yi-ing. The dust in their wake swept backward and upward, and with a rush they came over the scratch, with the roan pony ahead of my little Mexican fellow holding his quirt aloft, and his little eyes snapping with the nervous excitement of the great event. He had beaten the invincible bay stallion, the pride of this Comanche tribe, and as he rode back to his father his face had the settled calm which nothing could penetrate, and which befitted his dignity as a young runner.

Far be it from these quaint people ever to lose their blankets, their horses, their heroism, in order to stalk behind a plow in a pair of canvas overalls and a battered silk hat. Now they are great in their way; but then, how miserable! But I have confidence that they will not retrograde. They can live and be successful as a pastoral people, but not as sheep herders, as some great Indian department reformer once thought when he placed some thousands of these wooly idiots at their disposal.

[6] A riding whip.

The Comanches travel about too much and move too fast for sheep; but horses and cattle they do have and can have so long as they retain possession of their lands. But if the Government sees fit to consecrate their lands to the "man with the hoe," then, alas! good-bye to all their greatness.

Bidding adieu to my friends at Fort Sill, I "pulled out" for Anadarko on the Washita [River], where the head agency of the Comanches, Kiowas, and Wichitas is located. The little ponies made bad work of the sandy roads. Kiowa houses became more numerous along the road, and there is evidence that they farm more than the brother tribe, but they are not so attractive a people. Of course the tepee is pitched in the front yard and the house is used as a kind of out-building. The medicine-bags were hanging from the tripod of poles near by, and an occasional buck was lying on his back "smoking his medicine"—a very comfortable form of devotion.

We saw the grass houses of the Wichitas, which might be taken for ordinary haystacks. As they stand out on the prairie surrounded by wagons, agricultural implements, and cattle, one is caught wondering where is the remainder of the farm which goes with this farm-yard.

These Territory Apaches are very different from their brothers of the mountains.[7] They are good-looking, but are regarded contemptuously by other Indians and also by the traders. They are treacherous, violent, and most cunning liars and thieves. I spent an evening in one of their tepees watching a game of monte, and the gambling passion was developed almost to insanity. They sat and glared at the cards, their dark faces gleaming with avarice, cunning, and excitement. I thought then that the good white men who would undertake to make Christian gentlemen and honest tillers of the soil out of this material would contract for a job to subvert the process of nature.

Our little ponies, recuperated by some grain and rest, were once more hooked up, and the cowboy and I started for Fort Reno to see the Arrapahoes [sic] and the Cheyennes, hoping to meet them far along on "the white man's road."

After a hard pull we came to a beautiful creek heavily timbered with post-oak, black-jack, and pecan trees. Taking our well-worn ponies from the pole we fed and curried them, hoping that by careful nursing they might be gotten through to Fort Reno. I wasted some anxiety on myself as I discovered that my cowboy driver unrolled from a greasy newspaper the provisions which he had assured me before starting was a matter which had been attended to. It was "poor picking" enough, and I did not enjoy my

[7] Remington is referring to those Apaches under Geronimo who waged a relentless war against the whites in Arizona and New Mexico.

"Indian Territory Apaches Playing Monte"

after-dinner smoke when I realized that the situation was complicated by the fact that we had eaten everything for dinner and were then miles from [Fort] Reno, with a pair of played out ponies.

Hooking up again, we started on. On a little hill one jaded beast "set back in the breaching" and we dismounted to push the wagon and coax him along. The road was heavy with sand and we lost a parallel trail made by the passage of the Eighth Cavalry some weeks before. We hoped to discover the "breaks"[8] of the South Canadian River before darkness set in; but the land rose steadily away in front, and we realized that something must be done. At last coming suddenly upon a group of miserable pole cabins, we saw two Caddoes reclining on a framework of poles. I conceived the idea of hiring one of these to guide us through in the darkness. The wretches refused to understand us, talk English, sign language, or what we would. But after a hard bargain one saddled his pony and consented to lead the way through the darkness. On we traveled, our valuable guide riding so far ahead that we could not see him, and at last we came suddenly in sight of the bright surface of the South Canadian [River]. The sun was fast sinking, and by the time we had crossed the wide sand-bars and the shallow water of the river bottom a great red gleam was all that remained on the western

[8] In Remington's original narrative this was footnoted as "The lowering of the land, cut by streams tending towards the basin of a large river."

horizon. About a mile to the left flickered the camp-fires about a group of lodges of Arapahoes. We fed our team and then ourselves crunched kernels of "horse-trough corn" which were extracted from the feed box. Our Caddo sat on his horse while we stretched on the grassy band above the sand flats. A dark-skinned old Arapaho rode up, and our Caddo saluted him. They began to converse in the sign language as they sat on their ponies, and we watched them with great interest. With graceful gestures they made the signs and seemed immediately and fully to comprehend each other. As the old Arapaho's face cut dark against the sunset I thought it the finest Indian profile I had ever seen. He was arrayed in the full wild Indian costume of these latter days, with leggings, beaded moccasins, and a sheet wrapped about his waist and thighs. The Caddo, on the contrary, was a progressive man. His hair was cropped in Cossack style; he wore a hat, boots, and a great "slicker," or cowboy's oil-skin coat. For the space of half an hour they thus interested each other. We speculated on the meaning of the signs, and could often follow them; but they abbreviated so much and did it all so fast that we missed the full meaning of their conversation. Among other things the Caddo told the Arapaho who we were, and also made arrangements to meet him at the same place at about 10 o'clock on the following day.

Darkness now set in, and as we plunged into the timber after the disappearing form of our guide I could not see my companions on the seat beside me. I think horses can make out things better than men can under circumstances like these; and as the land lay flat before us, I had none of the fears which one who journeys in the mountains often feels.

The patter of horses' hoofs in the darkness behind us was followed by a hailing cry in the guttural tone of an Indian. I could just make out a mounted man with a led horse beside the wagon, and we exchanged inquiries in English and found him to be an acquaintance of the morning, in the person of a young Cheyenne scout from Fort Reno who had been down to buy a horse of a Caddo. He had lived at the Carlisle school,[9] and although he had been back in the tribe long enough to let his hair grow, he had not yet forgotten all his English. As he was going through to the post, we dismissed our Caddo and followed him.

Far ahead in the gloom could be seen two of the post lights, and we were encouraged. The little ponies traveled faster and with more spirit in the night, as indeed do all horses. The lights did not come nearer, but kept at the indefinite distance peculiar to lights on a dark night. We plunged into holes, and the old wagon pitched and tipped in a style which insured keeping its sleepy occupants awake. But there is an end to all things, and

[9] Carlisle Barracks Indian School located in Carlisle, Pennsylvania.

"The Sign Language"

our tedious trail brought us into Fort Reno at last. A sleepy boy with a lamp came to the door of the post-trader's and wanted to know if I was trying to break the house down, which was a natural conclusion on his part, as sundry dents in a certain door of the place will bear witness to this day.

On the following morning I appeared at the headquarters office, credentials in hand. A smart, well-gotten up "non-com." gave me a chair and discreetly kept an eye on the articles of value in the room, for the hard usage of my recent travels had so worn and soiled my clothing that I was more picturesque than assuring in appearance. The colonel came soon, and he too eyed me with suspicious glances until he made out that I was not a Texas horse thief nor an Oklahoma boomer. After finding that I desired to see his protégés of the prairie, he sent for the interpreter, Mr. Ben. Clark,[10] and said, "Seek no farther; here is the best Cheyenne in the country."

Mr. Clark I found to be all that the colonel had recommended, except that he did not look like a Cheyenne, being a perfect type of the frontier scout, only lacking the long hair, which to his practical mind a white man did not seem to require. A pair of mules and a buckboard were provided from the quartermaster's corral, and Mr. Clark and I started on a tour of observation.

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[10] Famous military scout who had intermarried among the Cheyenne and Arapaho.

We met many Cheyennes riding to some place or another. They were almost invariably tall men with fine Indian features. They wore the hair caught by braids very low on the shoulders, making a black mass about the ears, which at a distance is not unlike the aspect of an Apache. All the Indians now use light "cow-saddles," and ride with the long stirrups peculiar to Western Americans, instead of "trees" of their own construction with the short stirrup of the old days. In summer, instead of a blanket, a white sheet is generally worn, which becomes dirty and assumes a very mellow tone of color. Under the saddle the bright blue or red Government cloth blanket is worn, and the sheet is caught around the waist, giving the appearance of Zouave trousers. The variety of shapes which an Indian can produce with a blanket, the great difference in wearing it, and the grace and naturalism of its adjustment, are subjects one never tires of watching. The only criticism of the riding of modern Indians one can make is the incessant thumping of the horse's ribs, as though using a spur. Outside of the far South-west, I have never seen Indians use spurs. With the awkward old "trees" formerly made by the Indians, and with the abnormally short stirrup, an Indian was anything but graceful on horseback, although I have never heard any one with enough temerity to question his ability. I always like to dwell on this subject of riding, and I have an admiration for a really good rider which is altogether beyond his deserts in the light of philosophy. In the Eastern States the European riding-master has proselyted to such an extent that it is rather a fashionable fad to question the utility of the Western method. When we consider that for generations these races of men who ride on the plains and in the Rocky Mountains have been literally bred on a horse's back, it seems reasonable to suppose they ought to be riders; and when one sees an Indian or a cowboy riding up precipices where no horses ought to be made to go, or assuming on horseback some of the grotesque positions they at times affect, one needs no assurance that they do ride splendidly.

As we rattled along in the buckboard, Mr. Clark proved very interesting. For thirty odd years he has been in contact with the Cheyennes. He speaks the language fluently, and has discovered in a trip to the far North that the Crees use almost identically the same tongue. Originally the Cheyennes came from the far North, and they are Algonquin in origin. Though their legend of the famous "medicine arrow" is not a recent discovery, I cannot forbear to give it here.

A long time ago, perhaps about the year 1640, the Cheyennes were fighting a race of men who had guns. The fighting was in the vicinity of the Devil's Lake country,[11] and the Cheyennes had been repeatedly worsted in combat

[11] Located in northeastern North Dakota.

and were in dire distress. A young Horatius[12] of the tribe determined to sacrifice himself for the common weal, and so wandered away. After a time he met an old man, a mythical personage, who took pity on him. Together they entered a great cave, and the old man gave him various articles of "medicine" to choose from, and the young man selected the "medicine arrows." After the old man had performed the proper incantations, the hero went forth with his potent fetish and rejoined the tribe. The people regained courage, and in the fight which soon followed they conquered and obtained guns for the first time. Ever since the tribe has kept the medicine arrows, and they are now in the Indian Territory in the possession of the southern Cheyennes. Years ago the Pawnees captured the arrows and in ransom got vast numbers of ponies, although they never gave back all of the arrows, and the Cheyennes attribute all their bad experiences of later days to this loss. Once a year, and oftener should a situation demand it, the ceremony of the arrows takes place. No one has ever witnessed it except the initiated priests.

The tribal traditions are not known thoroughly by all, and of late years only a very few old men can tell perfectly the tribal stories. Why this is so no one seems to know, unless the Indians have seen and heard so much through the white men that their faith is shaken.

Our buckboard drew gradually nearer the camp of the Cheyennes. A great level prairie of waving green was dotted with the brown toned white canvas lodges, and standing near them were brush "ramadas," or sheds, and also wagons. For about ten years they have owned wagons, and now seldom use the *travaux*.[13] In little groups all over the plain were scattered pony herds, and about the camp could be seen forms wearing bright blankets or wrapped in ghostlike cotton sheets. Little columns of blue smoke rose here and there, and gathered in front of one lodge was squatted a group of men. A young squaw dressed in a bright calico gown stood near a ramada and bandied words with the interpreter while I sketched. Presently she was informed that I had made her picture, when she ran off, laughing at what she considered an unbecoming trick on the part of her entertainer. The women of this tribe are the only squaws I have ever met, except in some of the tribes of the northern plains, who have any claim to be considered good looking. Indeed, some of them are quite as I imagine Pocahontas, Minnehaha, and the rest of the heroines of the race appeared. The female names are conventional, and have been borne by the women ever since the oldest man can

[12] Quintus Horatius Flaccus a Latin poet.

[13] Once an Indian method for carrying goods on two long poles reaching from a horse's shoulder to the ground.

"A Cheyenne Camp"

remember. Some of them have the pleasant sound which we occasionally find in the Indian tongues: "Mut-say-yo," "Wau-hi-yo," "Mo-ka-is," "Jok-ko-ko-me-yo," for instance, are examples; and with the soft guttural of their Indian pronunciation I found them charming. As we entered the camp all the elements which make that sort of scene interesting were about. A medicine-man was at work over a sick fellow. We watched him through the opening of a lodge, and our sympathies were not aroused, as the patient was a young buck who seemed in no need of them. A group of young men were preparing for a clan dance. Two young fellows lay stretched on the grass in graceful attitudes. They were what we call "chums." Children were playing with dogs; women were beading moccasins; a group of men lay under a wagon playing monte; a very old man, who was quite naked, tottered up to our vehicle and talked with Mr. Clark. His name was Bull Bear,[14] and he was a strange object with his many wrinkles, gray hair, and toothless jaws.

From a passing horseman I procured an old "buck saddle" made of elk horn. They are now very rare. Indian saddlery is interesting, as all the tribes had a different model, and the women used one differing from that of the men.

[14] A Southern Cheyenne Dog Soldier Chief.

We dismounted at the lodge of Whirlwind,[15] a fine old type who now enjoys the prestige of head chief. He was dignified and reserved, and greeted us cordially as he invited us to a seat under the ramada. He refused a cigar, as will nearly all Indians, and produced his own cigarettes.

Through the interpreter we were enabled to converse freely. I have a suspicion that the old man had an impression that I was in some way connected with the Government. All Indians somehow divide the white race into three parts. One is either a soldier, a Texas cowboy, or a "big chief from Washington [D.C.]," which latter distinction I enjoyed. I explained that I was not a "big chief, "but an artist, the significance of which he did not grasp. He was requested to put on his plumage, and I then proceeded to make a drawing of him. He looked it over in a coldly critical way, grunted several times, and seemed more mystified than ever; but I do not think I diminished in his estimation. In his younger days Whirlwind had been a war chief; but he traveled to Washington and there saw the power and numbers of the white man. He advised for peace after that, and did not take the warpath in the last great outbreak. His people were defeated, as he said they would be, and confidence in his judgment was restored. I asked him all sorts of questions to draw on his reminiscences of the old Indian life before the conquest, all of which were answered gravely and without boasting. It was on his statesmanlike mind, however, to make clear to me the condition of his people, and I heard him through. Though not versed in the science of government, I was interested in the old man's talk. He had just returned from a conference of the tribes which had been held in the Cherokee country, and was full of the importance of the conclusions there evolved. The Indians all fear that they will lose their land, and the council advised all Indians to do nothing which would interfere with their tenure of the land now held by them. He told with pride of the speech he made while there and of the admiration with which he was regarded as he stood, dressed in the garb of the wild Indian, with his tomahawk in hand. However, he is a very progressive man, and explained that while he was too old to give up the methods of life which he had always observed, yet his son would be as the civilized Cherokees are. The son was squatted near, and I believed his statement, as the boy was large of stature and bright of mind, having enjoyed some three years' schooling at a place which I have now forgotten. He wore white men's clothes and had just been discharged from the corps of scouts at [Fort] Reno. When I asked the boy why he did not plow and sow and reap, he simply shrugged his shoulders at my ignorance, which, in justice to myself, I must explain was only a leading question, for I know that corn cannot

[15] Southern Cheyenne Chief.

be raised on this reservation with sufficient regularity to warrant the attempt. The rainfall is not enough; and where white men despair, I, for one, do not expect wild Indians to continue. They have tried it and have failed, and are now very properly discouraged. Stock-raising is the natural industry of the country, and that is the proper pursuit of these people. They are only now recovering by natural increase from the reverses which they suffered in their last outbreak. It is hard for them to start cattle herds, as their ration is insufficient, and one scarcely can expect a hungry man to herd cattle when he needs the beef to appease his hunger. Nevertheless, some men have respectable herds and can afford to kill an animal occasionally without taking the stock cattle. In this particular they display wonderful forbearance, and were they properly rationed for a time and given stock cattle, there is not a doubt but in time they would become self-supporting. The present scheme of taking a few boys and girls away from the camps to put them in school where they are taught English, morals, and trades has nothing reprehensible about it, except that it is absolutely of no consequence so far as solving the Indian problem is concerned. The few boys return to the camps with their English, their school clothes, and their short hair. They know a trade also, but have no opportunity to be employed in it. They loaf about the forts for a time with nothing to do, and the white men talk pigeon English to them and the wild Indians sneer at them. Their virtues are unappreciated, and, as a natural consequence, the thousands of years of barbarism which is bred in their nature overcome the three little seasons of school training. They go to the camps, go back to the blanket, let their hair grow, and forget their English. In a year one cannot tell a schoolboy from any other little savage, and in the whole proceeding I see nothing at all strange.

The camp will not rise to the school-boy, and so Mahomet goes to the mountain.[16] If it comes to pass that the white race desires to aid these Indians to become a part of our social system instead of slowly crushing them out of it, there is only one way to do it. The so-called Indian problem is no problem at all in reality, only that it has been made one by a long succession of acts which were masterly in their imbecility and were fostered by political avarice. The sentiment of this nation is in favor of no longer regarding the aborigines of this country as a conquered race; and except that the great body of our citizens are apathetic of things so remote as these wards of the Government, the people who have the administration of their destinies would be called to account. No one not directly interested ever questioned that the Indian Department should have been attached to the War Department; but that is too patent a fact to discuss. Now the Indian affairs are in so hopeless

[16] Referring to Muhammad the founder of the Islamic religion.

"An Arapaho Scout"

a state of dry-rot that practical men, in political or in military circles, hesitate to attempt the role of reformers. The views which I have on the subject are not original, but are very old and very well understood by all men who live in the Indian countries. They are current among army officers who have spent their whole lives on the Indian frontier of the far West, but are not often spoken, because all men realize the impotency of any attempt to overcome the active work of certain political circles backed by public apathy and a lot of theoretical Indian regenerators. If anything is done to relieve the condition of the Indian tribes it must be a scheme which begins at the bottom and takes the "whole outfit," as a Western man would say, in its scope. If these measures of relief are at all tardy, before we realize it the wild Indian tribes will be as some writer has said, "loafers and outcasts, contending with the dogs for kitchen scraps in Western villages." They have all raised stock successfully when not interfered with or not forced by insufficient rations to eat up their stock cattle to appease their hunger, and I have never heard that Indians were not made of soldier stuff. A great many Western garrisons have their corps of Indian scouts. In every case they prove efficient. They are naturally the finest irregular cavalry on the face of this globe, and with an organization similar to the Russian Cossacks they would do the United States great good and become themselves gradually civilized. An irregular cavalry is every year a more and more important branch of the service. Any good cavalry officer, I believe, could take a command of Indians and ride around the world without having a piece of bacon, or a cartridge, or a horse issued by his Government. So far as effective police work in the West is concerned, the corps of Indian scouts do nearly all of that service now. They all like to be enlisted in the service, universally obey orders, and are never disloyal. But nothing will be done; so why continue this?

For hours we sat in the ramada of the old chief and conversed, and when we started to go I was much impressed by the discovery that the old Indian knew more about Indians, Indian policy, and the tendencies and impulses of the white men concerning his race than any other person I had ever met.

The glories of the reign of an Indian chieftain are past. As his people become more and more dependent on the Government his prestige wanes.

For instance, at the time of our visit to this camp the people were at loggerheads regarding the locality where the great annual Sun Dance, or, more literally, "The Big Medicine," should be held. The men of the camp that I visited wanted it at one place, and those of the "upper camp" wanted it at another. The chief could not arrange the matter, and so the solution of the difficulty was placed in the hands of the agent.

The Cheyenne agency buildings are situated about a mile and a half from Fort Sill [Reno]. The great brick building is imposing. A group of stores and little white dwelling-houses surround it, giving much the effect of a New England village. Wagons, saddled ponies, and Indians are generally disposed about the vicinity and give life to the scene. Fifteen native policemen in the employ of the agency do the work and take care of the place. They are uniformed in cadet gray, and with their beaded white moccasins and their revolvers are neat and soldierly looking. A son of old [Charles] Bent,[17] the famous frontiersman, and an educated Indian do the clerical work, so that the agent is about the only white man in the place. The goods which are issued to the Indians have changed greatly in character as their needs have become more civilized. The hatchets and similar articles of the old traders are not given out, on the ground that they are barbarous. Gay colored clothes still seem to suit the esthetic sense of the people, and the general effect of a body of modern Indians is exceeding brilliant. Arabs could not surpass them in this respect.

They receive flour, sugar, and coffee at the great agency building, but the beef is issued from a corral situated out on the plain at some distance away. The distribution is a very thrilling sight, and I made arrangements to see it by procuring a cavalry horse from [Lieutenant] Colonel [James F.] Wade at the fort and by following the ambulance containing an army officer who was detailed as inspector. We left the post in the early morning, and the driver "poured his lash into the mules" until they scurried along at a speed which kept the old troop-horse at a neat pace.

The heavy dew was on the grass, and clouds lay in great rolls across the sky, obscuring the sun. From the direction of the target range the "stump" of the Springfields[18] came to our ears, showing that the soldiers were hard at their devotions. In twos, and threes, and groups, and crowds, came Indians, converging on the beef corral. The corral is a great ragged fence made of an assortment of boards, poles, scantling, planks, old wagons, and attached to this is a little house near which the weighing scales are placed. The crowd collected in a great mass near the gate and branding-chute. A fire was burn-

17 Charles Bent was a famous frontiersman and settler.

18 The standard United States Army rifle until 1892 was the 1874 model .45 caliber, Springfield Rifle.

"The Branding Chute at the Beef Issue"

ing, and the cattle contractors (cowboys) were heating their branding-irons to mark the "I.D." on the cattle distributed, so that any Indian having subsequently a hide in his possession would be enabled to satisfy roving cattle inspectors that they were not to be suspected of killing stock.

The agent came to the corral and together with the army officer inspected the cattle to be given out. With loud cries the cowboys in the corral forced the steers into the chute, and crowding and clashing they came through into the scales. The gate of the scales was opened and a half-dozen frightened steers crowded down the chute and packed themselves in an unyielding mass at the other end. A tall Arapaho policeman seized a branding iron, and mounting the platform of the chute poised his iron and with a quick motion forced it on the back of the living beast. With a wild but useless plunge and a loud bellow of pain the steer shrunk from the hot contact; but it was all over, and a long black "I.D." disfigured the surface of the skin.

Opposite the branding-chute were drawn up thirty young bucks on their ponies, with their rifles and revolvers in hand. The agent shouted the Indian names from his book, and a very engaging lot of cognomens they were. A policeman on the platform designated a particular steer which was to be the

"Waiting for the Beef Issue"

property of each man as his name was called. The Indian came forward and marked his steer by reaching over the fence and cutting off an ear with a sharp knife, by severing the tail, or by tying some old rag to some part of the animal. The cold-blooded mutilation was perfectly shocking, and I turned away in sickened disgust. After all had been marked, the terrified brutes found the gate at the end of the chute suddenly opened by the police guard; but before this had been done a frantic steer had put his head half through the gate, and in order to force him back a red-hot branding-iron was pushed into his face, burning it horribly. The worst was over; the gates flew wide, and the maddened brutes poured forth, charging swiftly away in a wild impulse to escape the vicinity of the crowd of humanity. The young bucks in the group broke away, and each one, singling out his steer, followed at top speed, with rifle or six-shooter in hand. I desired to see the whole proceeding, and mounting my cavalry horse followed two young savages who seemed to have a steer possessed of unusual speed. The lieutenant had previously told me that the shooting at the steers was often wild and reckless, and advised me to look sharp or I might have to "pack a bullet." Puffs of smoke and the "pop! pop!" of the guns came from all over the plain. Now a steer would

drop, stricken by some lucky shot. It was buffalo-hunting over again, and was evidently greatly enjoyed by the young men. My two fellows headed their steer up the hill on the right, and when they had gotten him far enough away they "turned loose," as we say. My old cavalry horse began to exhibit a lively interest in the smell of gunpowder, and plunged away until he had me up and in front of the steer and the Indians, who rode on each side. They blazed away at the steer's head, and I could hear a misdirected bullet "sing" by uncomfortably near. Seeing me in front, the steer dodged off to one side, and the young fellow who was in his way, by a very clever piece of horsemanship, avoided being run over. The whole affair demonstrated to me that the Indian boys could not handle the revolver well, for they shot a dozen rounds before they killed the poor beast. Under their philosophic outward calm I thought I could see that they were not proud of the exhibition they had made. After the killing, the squaws followed the wagons and proceeded to cut up the meat. After it had been divided among themselves, by some arrangement which they seemed to understand, they cut it into very thin pieces and started back to their camps.

Peace and contentment reign while the beef holds out, which is not long, as the ration is insufficient. This is purposely so, as it is expected that the Indians will seek to increase a scant food supply by raising corn. It does not have that effect, however. By selling ponies which they have in great numbers, they manage to get money; but the financial future of the Cheyennes is not flattering.

Enlistment in the scouting corps at [Fort] Reno is a method of obtaining employment much sought after by the young men. The camp is on a hill opposite the post, where the white tepees are arranged in a long line. A wall tent at the end is occupied by two soldiers who do the clerical work. The scouts wear the uniform of the United States army, and some of them are strikingly handsome in the garb. They are lithe and naturally "well set up," as the soldiers phrase it. They perform all the duties of the soldiers; but at some of the irksome tasks, like standing sentry, they do not come out strong. They are not often used for that purpose, however, it being found that Indians do not appreciate military forms and ceremonies.

Having seen all that I desired, I procured passage in the stage to a station on the Santa Fe Railroad. In the far distance the train came rushing up the track, and as it stopped I boarded it. As I settled back in the soft cushions of the sleeping-car I looked at my dirty clothes and did not blame the negro porter for regarding me with the haughty spirit of his class.

THE POLITICAL AND SOCIAL ATTITUDES OF SOME EARLY OKLAHOMA DEMOCRATS

*By Garin Burbank**

The Democratic party, with battalions of loyal voters in southern Oklahoma rendering it dependable support, enjoyed perennial dominance in the state government during the first decade after statehood. Most of the southern counties produced Democratic majorities above fifty-five percent, and, in many instances, above sixty percent. Oklahoma, in the phrase of the political scientist, was a "modified one-party state," with only a few safely Republican counties along the Kansas border impervious to the Democrat's appeal to Southern pride and tradition.[1] Who were these Democrats, what did they believe and what did they hope to achieve in Oklahoma?

Thousands upon thousands of Southern men—from the central and deep South, and from the adjacent states of Missouri, Arkansas and Texas—had moved into this belated frontier.[2] Some had come to seek new business and professional opportunities in the growing towns; many more sought fresh soil on which to grow "cawn n' cotton." Doubtlessly purpose and energy varied widely among the migrants. There were men who pursued "success" in an avid and methodical manner; and there were others who merely drifted in as if blown ahead of the southerly winds. Younger men with professional training who settled in the towns often improved their economic and social condition, achieving prestige and influence in Oklahoma which was denied to all but a few young men in the older communities of their home states.

William H. "Alfalfa Bill" Murray, destined to become the President of the Oklahoma Constitutional Convention, first Speaker of the Oklahoma House of Representatives and Governor of Oklahoma is a good example of those acquiring prestige and power after moving to the state. He was a typical young migrant, previously he had been involved in some editing, "politicking" and "lawyering" in various towns in Texas and though he

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[1] Oliver Benson, et. al., *Oklahoma Votes, 1907–1962* (Norman: University of Oklahoma Press, 1964), pp. 19–24, 35, 38.

[2] Department of Commerce, Bureau of the Census, *Census of the United States Taken in the Year 1910* (10 vols., Washington: Government Printing Office, 1913), Vol. III, p. 461. The percentages of Oklahoma's white population born in the five states which contributed the largest share of migrants were as follows: Oklahoma, 28.7; Texas, 12.0; Missouri, 11.4; Arkansas, 8.6; and Kansas, 6.9.

"Alfalfa Bill" Murray who was indicative of the many young men who came to Oklahoma in search of ways to improve their economic and social standing

certainly had not been a "failure," he had to borrow the fare required for a trip to Indian Territory, where he hoped to establish himself as a professional man. After settling in Tishomingo in the Chickasaw Nation, when he was twenty-eight, Murray quickly became an associate in a law firm, married into the Chickasaw tribe and entered local politics. It was Murray's good fortune that his patron was elected Governor of the Chickasaw Nation, for thereafter Murray derived what was by local standards a substantial income from legal work on complicated tribal land cases.[3]

Even more successful as a leader of Democrats, though less colorful than "Alfalfa Bill," was an aggressive lawyer and businessman, Robert Lee Williams from Durant in the Choctaw Nation, who was elected Chief Justice of the State Supreme Court in 1908, and Governor of Oklahoma in 1914. After teaching school and graduating from a small college in Alabama, Williams arrived in Durant, where he would pit his skill and luck against other ambitious young men. Within a few years, he had established his reputation in the region and enjoyed a large income for legal services rendered to the Missouri, Kansas and Texas Railroad as well as to local and outside businessmen. Williams helped to organize and then retained substantial holdings in local banks, a cotton oil company, an insurance business and a real estate firm. Before he had been in Oklahoma a decade, he also had acquired large tracts of farm land, including nearly 3,000 prime acres located near Caddo in Bryan County.[4]

By force of personality and ability, both Murray and Williams emerged from the obscurity of small-town life to become leading state politicians. Obviously more successful than the many other local notables who remained obscure, these leaders were nonetheless representative of the social types who

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[3] Keith L. Bryant, Jr., *Alfalfa Bill Murray* (Norman: University of Oklahoma Press, 1968), pp. 3–44.

[4] Edward Everett Dale and James D. Morrison, *Pioneer Judge: The Life of Robert Lee Williams* (Cedar Rapids, Iowa: Torch Press, 1958), pp. 68–69, 84–85, 94–95, 97–98, 146, 229.

were Democratic activists engaged in battle with the Socialists during the 1910s.

In a sample of 185 Democratic leaders in 7 counties, there were 131 men who had arrived in Oklahoma between the ages of 13 and 30. This number would rise to 148 out of 185 if the upper age limit were raised to 35. In a slightly different sample, drawn from the same counties, fully 149 out of 205 leaders had arrived, like Murray and Williams, in the period of the great rushes between 1889 and 1903.[5] Similar samples reveal the disproportionate number of business and professional men in the Democratic party. The counties in these samples were among the most "rural" in the state; hence the over-representation of middle-class townsmen and the under-representation of "country people" in the Democratic leadership was even more striking and politically significant.

Political commentators from the three competing parties—Democrat, Republican and Socialist—agreed on one point: the Democrats, being substantial property-holders in the small towns and rural areas, were generally hostile to the abolition of large, speculative landholdings and to the reform of bank lending practices. Socialist agitators, as could be expected, flailed the Democrats as so many "interlocked parasites" in the "electric light towns," living comfortably from rents, fees and interest paid to them.[6] Socialists repeatedly identified the Democrats as the "bank clique" or the "town bunch."[7] A Republican editor in Washita County also pointed to a county seat "ring," alleging that most of the local Democratic leaders were financially interested in banks and loan companies and would be unlikely to support candidates advocating strict control of state bank interest rates.[8] These opposition cries might be dismissed as politically cynical, but those who scoff must at the same time explain away the frank admission of the progressive journal, *Harlow's Weekly*, that very important Democratic leaders were privileged property-owners. "Governor Williams himself," the publication noted, "is not in sympathy with legislation to modify the present tenant system in Oklahoma, though he is in sympathy with anti-usury

[5] Rex F. Harlow and Victor E. Harlow, eds., *Makers of Government in Oklahoma* (Oklahoma City: Harlow Publishing Company, 1930). In 1929 the Harlows decided to compile lists of political leaders in the state. They made their selections on the basis of local reputation. So as to insure that the leaders were present in Oklahoma during the 1910s, I included only persons who had arrived in Oklahoma previous to 1912, and who had been born prior to 1889. It is possible that they did not enjoy the same measure of esteem in the 1910s as in 1930, but they were present as mature men in the earlier period. The seven counties to which I referred in the text were Major, Roger Mills, Beckham and Kiowa in the west; and Marshall, Johnston and Pontotoc in the east.

[6] *Socialist Party Bulletin, 1914*, Socialist File, Library, Oklahoma Historical Society, Oklahoma City, Oklahoma.

[7] *Otter Valley Socialist* (Snyder), October 26, 1916.

[8] *Herald-Sentinel* (Cordell), October 19, 1916.

legislation." The journal also contended that a "number of the most influential members of the present legislature are also large landowners and consequently identified with the present tenant system."[9]

Yet, even progressive Democrats did not wish to admit too much, at least not when talking about the governor. Unable to persuade Governor Williams to become a land reformer and unwilling to dismiss the leader of Democrats as a benighted reactionary, *Harlow's Weekly* contrived to present him as an ideal landlord, different from those who would exploit tenants. "Interest is naturally increased," the journal declared, "when one sees the governor of the state . . . full of resolution to establish here a great modern farm. . . . His 1800 acres is in reality eleven farms combined into one, worked by eleven sets of tenants."[10] Writing as if Williams' efforts were a minor epic in the history of American agriculture, the editors reported that the governor encouraged good farming methods and provided better living quarters and more farm improvements than usually seen in southern Oklahoma. The tenants reportedly liked Williams "to a degree approaching affection."[11]

Williams' and other political leaders' careers afford insight into both the opportunities enjoyed and the problems encountered by the propertied townsmen. Although Williams liked to think of himself as a "noble" plantation owner, his values and behavior were simply capitalistic and acquisitive. He exemplified the spirit of dutiful enterprise undertaken in pursuit of personal achievement, and his actions were governed less by the sentiments of *noblesse oblige* than by the demands of the marketplace and the pressures of political ambition.

Along with his followers, Williams possessed a conventional social wisdom which both "explained" and justified his rise to commanding positions. In 1908, only a few months after his election to the State Supreme Court, he described Oklahoma as a "magnificent country for a young man with integrity, determination, and an unconquerable will." It was a region, Williams believed, where distinction could be achieved "more rapidly than in an old country."[12] However, he cautioned, paths along which young men might stride toward success had to be kept free of barriers erected by "great financial interests." Newly successful Oklahomans like Williams revered the followers of Williams Jennings Bryan who made their own way and distrusted the supporters of William Howard Taft, who were raised in the

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[9] *Harlow's Weekly* (Oklahoma City), October 30, 1915.

[10] *Harlow's Weekly*, October 2, 1915.

[11] *Ibid.*

[12] Robert L. Williams to Dr. W. W. McGhee, February 11, 1908, Robert L. Williams Papers, Oklahoma Historical Society, Oklahoma City, Oklahoma.

Robert L. Williams who "exemplified the spirit of dutiful enterprise undertaken in pursuit of personal achievement"

"lap of luxury" and who were unsympathetic "with the great masses of the plain people."[13] In perplexity and anger, Williams and his political colleagues attributed Bryan's defeat in the 1908 presidential election to an unfortunate popular tendency to neglect moderate reformers during prosperous times.[14]

While running his own race to a successful and, by local standards, prosperous conclusion, Williams was sometimes obliged to abandon his cohorts who fell behind. To a tenant whose work he had previously praised, Williams wrote that another man wished to rent a larger parcel of land, including the land and house previously rented by the praiseworthy but now luckless tenant. "Of course I hate mighty bad to lose you, but I couldn't afford to let the opportunity to go by to rent 125 acres of land with the house," explained Williams.[15] With the landlord keeping a careful balance sheet and the tenant expecting a living from his efforts, painful recrimination and

[13] Williams to W. N. Green, September 28, 1908, *ibid.*

[14] J. B. A. Robertson to Williams, November 7, 1908 and Williams to George S. Ramsey, November 5, 1908, *ibid.*

[15] Williams to George W. Grant, August 27, 1908, *ibid.*

mutual exasperation could follow hard upon reversals for either party of the contract. For example, Williams asked one tenant, A. S. Wheeler, to move because he had attempted to sell oats and timber belonging to Williams and had given him a bad check as well. In addition, Williams claimed not to have received a cent from the farm in three years.[16] When a tenant fell into debt, he could only beg indulgence from his landlord; he had no friendly bankers to help him through the straits. J. L. Brock, once asked Williams if he could have the same land for the following year so that he could try to "pay out," and begged Williams not to take his team and deprive him of his ability to make a living.[17]

The landlord could take away, but he could also give, especially if he were a politician in the midst of a hot campaign. In the summer of 1914, when cotton prices plunged following the outbreak of war in Europe, Williams, with no other political or business alternatives, took care to accomodate the "common man," and he advised his tenants that "the boys" should not become "blue." For the duration of the depression, Williams instructed his tenants that "we will arrange to plant and raise feed and get stock so that we will all live and come out alright."[18] A year later, when some tenants asked for better housing, Williams reaffirmed his good intentions but pleaded hard times. "You know I am just so hard up I am not able to build much of a house anywhere but hold these three boys in tow and we will find out," he replied to a minister who had written on behalf of the tenants.[19]

Like all effective politicians, Williams and other Democratic leaders had to help others so that they could help themselves. Even when he was a member of the Oklahoma Supreme Court, Williams was not embarrassed to intervene in a case on behalf of reliable Democrats and deserving farmers. He could offer the officeholder's usual selection of favors, from the trivial to the weighty, in order to secure the gratitude of voters in doubtful constituencies. When United States Senator Thomas P. Gore requested the names of farmers to whom he might send free "improved" cotton seed, Williams recommended "a good Arkansas Democrat" and other farmers who would "cultivate them well and . . . make a good display" which "will help out the local Democrats."[20]

But favors more valuable than cotton seed were available for distribution to the common man. Williams asked his partner in the First National Bank of Bennington, Oklahoma, if he knew of "two or three good democrats"

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[16] Williams to A. S. Wheeler, August 7, 1908, *ibid.*
[17] J. L. Brock to Williams, August 5, 1907, *ibid.*
[18] Williams to Ed Overcast, August 27, 1914, *ibid.*
[19] Williams to Reverend T. P. Levins, October 4, 1915, *ibid.*
[20] Williams to T. P. Gore, March 10, 1908, *ibid.*

who would like to obtain loans from the school land fund and who could show adequate title and security. That the loans were also undeniably intended to enhance the reputation of the Democratic party for providing largesse can be discerned in Williams's suggestion that his partner should look for likely recipients "up about Matoy . . . Caddo, . . . Jackson, and . . . Wade." "Get them scattered over the country," Williams suggested "it will do some good."[21] To one man Williams was even more blunt: "Of course the money is here to loan, and we want to help our friends and the members of our party." However he cautioned, "this is strictly confidential."[22] In another letter asking for strict confidence, Williams informed a friend that no more than two or three state loans could be given in any one precinct. "It has to be scattered over the state," Williams reminded him.[23] Williams followed up his efforts by asking the State School Land Commissioner about the progress of two loan applications from his home county, and expressed the hope that "everything possible should be done to expedite these applications."[24]

When seeking fertile fields in which to sow seeds for a political harvest, both Williams and other Democratic leaders were careful to stress that the would-be recipients had to possess clear title to land that was sufficiently valuable to constitute ample security for a loan. They were not proposing that public funds be loaned to legally unqualified borrowers, but they urged that potential borrowers, who were qualified, should be selected from "good democrats." In this way, the virtues and rewards of fidelity to the party of Thomas Jefferson and Andrew Jackson would not be lost upon discontented voters who were listening to the Socialists.

Democratic leaders gave much less accomodating treatment to those whose political opinions and activities placed them beyond the bounds of respectability and the possibility of redemption. In these cases intimidation was substituted for cooperation. For example, in 1915, Governor Williams asked the cashier of a Caddo, Oklahoma, bank if he knew anything about the reputation of A. Owens, a farmer who wished to rent some land from Williams. In addition to wanting to know if Owens was an honest man and good worker, Williams inquired into Owens' political affiliation, adding however, that a "man's politics don't preclude me from renting to him."[25]

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[21] Williams to W. O. Byrd, November 5, 1908; for other offers of help to Democrats, see Williams' letters to Frank Standifer, November 7, 1908; to Eugene Wolverton, November 7, 1908; and to G. W. Phillips, November 5, 1908, *ibid.*

[22] Williams to W. H. Cummings, November 7, 1908, *ibid.*

[23] Williams to J. Frank Adams, November 7, 1908, *ibid.*

[24] Williams to Ed O. Cassiday, November 5, 1908, *ibid.*

[25] Williams to Arthur Manning, September 28, 1915, *ibid.*

In reply, the bank cashier reported that Owens' previous landlord was dissatisfied with his "cultivation" and that Owens was a "socilaist [sic]."[26] A Caddo hardware merchant in answering Williams' query began his reply with the information that Owens was a Socialist and "sum [sic] what of a soar [sic] head; I wouldn't feel safe in recommending him as a renter."[27] A bank president, who Williams also asked, volunteered the judgement that the hapless Owens was both "pretty sorry" and "a Socialist."[28] Though the correspondence does not reveal whether Williams rented to the "sorry Socialist farmer," it does, nonetheless, cast strong light upon the political prejudice of many southern Oklahoma Democratic leaders. Socialists in these districts frequently alleged that landlords, upon discovering political apostasy among the tenants, conspired to "rent them out," and these answers tend to support the Socialist allegation.

To the extent that the Socialist party made fundamental attacks upon the political and economic interests of the businessmen and landlords of Oklahoma, it was only natural for the local elites to wage total political war in defense of what they regarded as their rights, interests and achievements. Democrats not only passed discreet letters among themselves to facilitate discrimination against Socialist voters; sometimes they even proclaimed their intention to harrass political dissidents and openly expressed satisfaction when measures such as the Universal Voter Registration Act of 1916 subjected intrepid Socialist registrants to public exposure. In Marshall County, where the socialists had won forty-one percent of the vote in 1914, the *Marshall County News-Democrat* chortled that "there has been 113 Socialists leave Marshall county since the registration which blows up the socialist party so far as winning any of the county offices is concerned."[29]

Because the Democrats believed that the Socialists were not legitimate participants in American political life, they could easily persuade themselves that any Socialist, even one who displayed prowess in cultivation, was a trouble maker worthy only of expulsion—to be a Socialist was worse even than to be a Republican. Reporting that a local Socialist editor had complained about Republicans crossing party lines to vote for Democrats, the *Marshall County Messenger* argued that "Americans stand together against a common enemy. Socialism is against American institutions . . . It saps the foundation of our political, social, moral life."[30] In 1914, when it appeared that the Socialists might win a plurality in Marshall County, the

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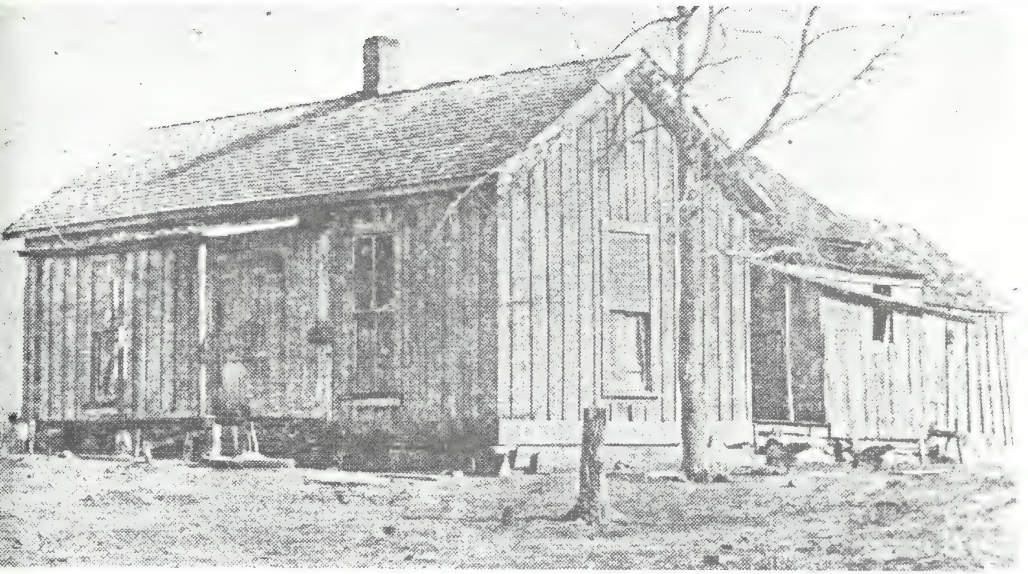
[26] Manning to Williams, September 29, 1915, *ibid.*
[27] Jack Moore to Williams, September 29, 1915, *ibid.*
[28] F. R. Semple to Williams, September 29, 1915, *ibid.*
[29] *Marshall County News-Democrat* (Madill), October 19, 1916.
[30] *Marshall County Messenger* (Kingston), November 16, 1912.



One of the tenant homes on Robert L. Williams' estate

same newspaper beseeched Democrats to remain faithful in spite of economic hardship and party factionalism. "If the Republicans want to vote for a Republican," conceded the anxious editor, "that is their privilege but it is not the honest thing for a Democrat to knife his own party nominee to give aid to a Republican . . . especially when such aid can only result in benefit to a candidate who is arrayed against both the . . . parties—a result which would not be of any credit to the country."[31]

It was a common belief of the day and the region that "radicals" were resentful of the success "earned" by better men than themselves. A Democratic editor argued that an enterprising middle class would frustrate Socialist hopes in Oklahoma no less than in the nation itself. "These people who do things and prosper," the editor declared "create the wealth and build up the country through their energy and ability, and then only, the Socialists come along and tell us how to . . . reduce mankind to a common level."[32]

Thinking well of themselves, the local notables found it hard to understand why country people thought ill of them. They believed that their lives, full of disciplined striving, should have been imitated by tenant farmers. The editor of the *Caddo Herald* complained that the tenants gathered in the hundreds to hear Eugene V. Debs tell them that they were downtrodden,

[31] *Marshall County Messenger*, October 24, 1914.
[32] *Marshall County News-Democrat*, June 15, 1916.

when they should have been listening to their banker's advice on how to save money, diversify crops, attend church and send their children to school. The newspaper regretfully observed, "the same banks, merchants, and professional men whom the socialists so loudly abuse, will be called on almost every day this winter to feed and clothe some poor kumrid's child, and they'll do it."[33] When the editor of the Madill, Oklahoma, *Socialist-Herald* argued that tenants did not need landlords to tell them how to work, the *Marshall County Messenger* was almost frantic in asserting that the landlord had an essential role in providing land for renters to work. "Renters make landlords and not landlords renters," the editor of the *Messenger* declared, ignoring the widely acknowledged facts of land speculation and concentration of ownership in southeastern Oklahoma.[34] Land rent was only the owner's reward for "giving someone else a chance to live," and to accuse the landlord of being a profit-making speculator was to play with a dangerous "class prejudice."[35]

Indeed the cultural perceptions of the property-seeking townsmen seemed to emerge from social fears similar to those which have been found at the core of white racism. Democratic spokesmen frequently accused the Socialists and their poor white constituency of lewd and perverse behavior. When a case of statutory rape was reported to the authorities in Marshall County, a Democratic newspaper editor alleged that all the parties concerned were Socialists and rhetorically questioned the origins of such depravity. Editors also saw wife-beating, murder and suicide as predictable results when the doctrines of socialism inflamed weak minds.[36] If not always lethal or degenerate, then Socialists were ill-mannered and vulgar, according to many Democratic townspeople. The editor of the *Marshall County News-Democrat* characterized a local Socialist spokesman as a "great big squabby specimen of humanity chock full of vulgarity and profanity, and obscene anecdotes."[37] Socialism seemed to embody filth, laziness and blackness, everything which decent white people believed themselves not to be. "If they were sincere in their actions," the newspaper reported "they would now apologize to the Democratic Party of Oklahoma . . . and clean up otherwise by paying all their debts, rents, etc. . . . As long as the Socialist teach negro equality, and cater to the black trash, instead of listening to the men who have made our great nation, they may expect to be ignored by all refined and sensible people."[38]

[33] *Caddo Herald* (Caddo), quoted in the *Marshall County Messenger*, October 23, 1915.
[34] *Marshall County Messenger*, October 6, 1916.
[35] *Ibid.*
[36] *Marshall County Messenger*, October 1, 1912; *Ada Weekly Star* (Ada), October 27, 1916.
[37] *Marshall County News-Democrat*, January 14, 1910.
[38] *Marshall County News-Democrat*, May 25, 1916.

The multiple anxieties of the business professionals are nowhere better illustrated than in the comments of the locally acclaimed editor of the *Johnston County Capital-Democrat*, W. C. "Rube" Geers, who scorned Socialist voters as thieves and "bellyachers" who believed that "there should be no bottom rail in the fence, but all the rails should be on top." He continued by declaring that a "socialist is a goose that wants a new mate every spring, and had soon have a black one as a white one. . . . He persuades himself that he has been robbed by the rich when he never had enough to buy a negroe's [sic] supper."[39] No bottom rail in the fence to let the striving citizen know where he stood: it was this fear that nagged the townsmen. They needed the blacks and the poor tenant farmer to prove to themselves that they have not failed in the "new state."

The religious experience of townspeople confirmed their belief in their own moral superiority and increased the social and cultural distance separating them from the tenants in the countryside. In the towns, the Baptists, Methodists and Disciples of Christ, attracted the bulk of the worshippers. The educated ministers of these churches delivered a message which flattered their audiences, emphasizing the middle class virtues of thrift, sobriety and personal responsibility for one's standing in this world. Because the churches, like other social institutions in a town, were expected to "pull together" in an effort to "boost" their town as the best place in which to live and raise Christian families, differences over doctrine and liturgy were, if not forgotten, somewhat deemphasized. "Booster" religion consecrated the "success" of its participants, encouraged scorn for country people, and thus intensified conflicting class perceptions.[40]

Most tenants did not attend church as often as townspeople because they were generally too rootless and too poor to support neighborhood churches. And they avoided town churches because, according to the report of the Presbyterian Home Mission, these churches were dominated by "merchants, middlemen, and agents, bankers and landlords—and the farmer thinks of these people as different from himself."[41] When they sought religion, tenants went to revival encampments and schoolhouse meetings in which intense emotion and apocalyptic vision found expression. Consequently they were more likely to be found in the radical Protestant sects which accentuated the need for doctrinal purity and scorned the physical luxury and theological compromises of the town booster's church. Although conservative in theology and strict in maintaining its tenets, these preachers often conveyed to

[39] *Johnston County Capital-Democrat* (Tishomingo), May 25, 1916.

[40] James R. Green, "Socialism and the Southwestern Class Struggle: A Study of Radical Movements in Oklahoma, Texas, Louisiana and Arkansas," unpublished Doctor of Philosophy dissertation, Yale University, New Haven, Connecticut, 1972, pp. 254–255.

[41] *Ibid.*, p. 255.

their rural flock a feeling of resentment against corruption in town life and religion, and provided poor, workworn rural people with an optimistic vision of a future better day. The rural style of religion, with its emotional spasms and convulsive conversions, seemed alternately risible and divisive to the condescending townsmen.

But even the preacher's soothing praise could not close the fissures of self-doubt and anxiety which were opened by competitive life in these new towns. Sermons could not increase a man's income, regardless of the claims of preachers. And, when prices for the staple crops fell, the florid eloquence of the booster, employed so often to exorcise the spectre of socialism, was deflated as rapidly as prices.

Thus, the propertied townsmen sometimes found themselves sorely pressed by the mundane and unavoidable demands of creditors. Opportunities for new entries into business enterprises probably declined after the first decade of settlement. Even a firm believer in "unconquerable will" was beginning to advise fellow professionals that Oklahoma was overcrowded. "It is hard to form a partnership in this new country now, so many lawyers are coming," declared Williams in discussing the change.[42] When the collapse of the cotton market chilled the marrow of business life throughout the South in 1914, he was even gloomier and bluntly discouraged a Mississippi lawyer who inquired about opportunities in Oklahoma by stating:[43]

> I would not think about moving to Texas or Oklahoma, except in an exceptional case. The bar is crowded in both of these states, and just a few men are making big money; and my experience is that very few men, after they are forty-five years old go to a new country and find it satisfactory, unless they carry money there to make investments and gets [sic] quickly aligned with business enterprises. There are not many openings in either one of these states. We always hear about the man that succeeds, but not about the man that fails . . . Mississippi and Louisiana represent just as good fields as the West does now.

Another lawyer wrote to Williams from Mississippi that he had left Oklahoma because he could not meet expenses from the proceeds of his practice, and inquired whether anyone needed a law clerk or stenographer.[44] Williams' correspondence yields a picture of Oklahoma prospects which varies considerably with the public optimism of the booster.

But of course the high politicians and their associates could ease the burden of debt they bore by using various devices unavailable to the tenant farmers

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[42] Williams to J. P. Clayton, February 28, 1910, Williams Papers.
[43] Williams to Sam Whitman, Jr., January 29, 1915, *ibid.*
[44] Andrew Wood to Williams, September 26, 1914, *ibid.*

who had to "pay out" at the end of a year, or live at the sufferance of the landlord. Williams thanked P. A. Norris of Ada, Oklahoma, for a loan allowing him to refinance his debts "so as to cut out my indebtedness bearing a high rate of interest."[45] Only six weeks before Williams had received a letter from a mortgage company in Oklahoma City, Oklahoma, which informed him of interest due on six loans for a total of $26,000 which were secured by 1,475 acres of land in Bryan County.[46]

Some of Williams' banking associates, lacking the prestige and wherewithal to get new loans to cover their debts, had to content themselves with "insiders" loans. This practice, however, stirred the Williams' wrath. To the president of the First National Bank of Bennington, Oklahoma, he declared:[47]

> The indebtedness of J. W. Lloyd, $3680.95, with no security, and Lewis T. Matin, $5,282.20, secured by only $110 worth of collateral notes, is absolutely not justified and especially is this so when they are active officers of the bank; and, so I request, as a stockholder, that this indebtedness be reduced. They ought not to have a line of credit, where no security is offered, above $1,500 each . . . I am sure that all their lands are encumbered and that eveything they have is in equities. No bank can live and prosper that has big loans to its active officers no better secured than this.

Williams would hardly allow his own investments to be jeopardized by corrupt practice, but he was nonetheless remarkably indulgent of his fellow speculators, if they were to be reproved by permitting them "only" $1,500 credit against their debts. Many a tenant in southern Oklahoma would have appreciated as much. However, there were methods of propping up a sagging investment. In a letter marker "personal" Governor Williams had previously informed the president of the troubled Bennington bank that the State Land Commissioners had given the bank a deposity of $10,000.[48]

If business activity could be so problematical for Williams, then how much more uncertain and frustrating it must have been for men with less power and influence. What did those bank officers say in the privacy of their homes after being reproved by Williams? They were no less ambitious, no less avid for gain, but for lack of luck or skill, they did not acquire the means and influence to achieve a really secure feeling of success. Probably not very many returned to their point of origin like the downhearted Mississippi

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[45] Williams to P. A. Norris, February 26, 1916, *ibid.*
[46] Gum Brothers Real Estate Mortgage Loans to Williams, January 6, 1916, *ibid.*
[47] Williams to E. R. Rines, February 16, 1916, *ibid.*
[48] Williams to E. F. Rines, January 5, 1916, *ibid.*

lawyer who bemoaned his fate, and those who remained in the struggle to "make it" must have felt themselves on the desperate edge of a morass, with the peril of slipping or sinking only too real. They would be "failures" in the "new country" where any man "worth his salt" should surely succeed. Thus, they were always in danger of being humiliated by their own belief in the possibility of success.

Not all Oklahoma businessmen had to worry about monetary difficulty or failure. In Oklahoma City a small number of mercantile and financial men served as the new state's version of the big bourgeoisie. The two leading publishers in the state, E. K. Gaylord of the *Daily Oklahoman* and Victor Harlow of *Harlow's Weekly*, were closely linked to these businessmen and, by virtue of the statewide circulation of their publications, could make a strong claim themselves for the leadership of "responsible" business opinion. Both Gaylord and Harlow prided themselves on taking the "long view" of the state's needs. They feared that Oklahoma's impoverished countryside and its reputation for agrarian radicalism would make investors wary of providing capital, and would keep Oklahoma City from becoming a major center of trade. The boosters who envisaged Oklahoma City in successful rivalry with Dallas, Texas; Wichita, Kansas; and Kansas City and St. Louis, Missouri, were more willing to seek aid from large business interests, including the big meatpackers and the railroads.

By 1915, both *Harlow's Weekly* and the *Daily Oklahoman* were declaring that the days of strict and "punitive" regulation were past in the state and attempts would be increasingly made to induce capital to enter Oklahoma and develop its resources. The editor of *Harlow's Weekly* noted that Governor Williams had warmly invited capital and had promised that the state would protect the interests of investors. At the National Governor's conference in 1916, Williams pictured government as "nothing but one great business enterprise to be administered according to business sense and business judgment under the promptings of an honest and humane heart."[49] Now even the Bryanites had left rhetoric about the "producers" and the "parasites" to the Oklahoma Socialists. Woodrow Wilson was in the White House and Williams was in the State House and the business of Oklahomans was to be business. The editor of the *Daily Oklahoman* was pleased to observe that the 1915 legislature was much less "radical" than its predecessors, and had done nothing to cause complaint from business interests.[50]

But the spokesmen of the "public interest" in Oklahoma City found the small-town and rural Democrats distressingly inflexible on the issue of land

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[49] Dale and Morrison, *Pioneer Judge: The Life of Robert Lee Williams*, pp. 246–247.

[50] *Harlow's Weekly*, January 1, April 3, May 1, 1915; *Daily Oklahoman* (Oklahoma City), quoted in *Harlow's Weekly*, April 3, 1915.

reform. Shortly before the 1914 election the editor of the *Daily Oklahoman* had asked his readers to ponder the implications of federal census figures, which revealed that a majority of the state's farmers were tenants. "This condition is due in large part to the Indian Land problem on the east side of the state," the editor argued. Title to this land passed "largely into the hands of non-resident owners who place tenants upon the same and hold it as a speculative proposition," he continued.[51] With the Socialists winning from twenty-five to thirty-five percent of the vote across southern Oklahoma in 1914, both *Harlow's Weekly* and the *Daily Oklahoman* expressed tactful, but clearly increasing dissatisfaction with the Williams administration's seeming indifference to tenancy. While the governor directed his political energies to the task of disfranchising black voters in 1915 and 1916, the *Daily Oklahoman* felt constrained to suggest that 60,000 Socialists voters were a more serious threat than were 40,000 Negroes to the continued ascendancy of the Democratic party.[52] The editor of *Harlow's Weekly* found Democratic complacency astonishing. "Socialism, I.W.W., W.C.U. —these are flaming warning signals which no wise statesman will overlook and which no shrewd politician can afford to ignore," the journal admonished.[53] But in early 1916, it dolefully reported that land speculators had purchased large acreages of Chickasaw and Choctaw lands at government sales in eastern counties, and the result was that the "tenant system" seemed "to be fixed upon that section to an extent that it can hardly be broken loose."[54]

Singled out for special praise were those Democratic notables who promoted land reform by argument or example. J. B. A. Robertson, already campaigning for the gubernatorial nomination which he would eventually secure in 1918, was commended by *Harlow's Weekly* during the fall of 1916, for proposing a graduated land tax, a limitation upon the amount of land one individual could hold and a program to promote farm home ownership. *Harlow's Weekly* was especially eager to report United States Senator Robert L. Owen's announcement that he intended to sell his large land-holdings in small, individual parcels. Both Owen and Governor Williams had been pilloried by the Socialists as landlords who received unearned benefits from the tenant system. It was the journal's suspicion that Owen's decision portended a rupture with the state Democrats on the land issue. The weekly noted that Williams had said nothing in response to Owen's announcement.[55]

[51] *Daily Oklahoman*, October 21, 1914.
[52] *Daily Oklahoman* quoted in the *Marshall County Messenger*, November 6, 1915.
[53] *Harlow's Weekly*, December 11, 1915.
[54] *Ibid.*, January 22, 1916.
[55] *Harlow's Weekly*, September 13, October 18, 25, 1916.

J. B. A. Robertson who in 1916, proposed both a graduated land tax and a limitation upon the amount of land one individual could own

The "progressive" land reformers found their best hopes persistently disappointed. The editor of the *Oklahoma Farmer-Stockman* lamented that there had not even been a serious discussion of the tenancy question, which was, in his view, "vital to the state's prosperity."[56] Proposals for a graduated land tax and anti-discrimination provisions to protect farmers' crops were given lip service and legislative burial. In addition *Harlow's Weekly*, after quoting, with approval, a *Tulsa Times* editorial which accused eastern Oklahoma landlords of fastening a heavy yoke upon the neck of the tenantry, gave what was coming to be its perennial explanation of legislative inaction: "The landlord, the banker, the merchant and all other property owners are vocal in their demands for selfish legislation when the legislature is in session, and in many instances the benefits they obtain through legislation are accompanied by further inroads upon their less fortunate fellow citizens."[57] Much the same explanation was given by a defeated Republican candidate for governor, Horace G. Mckeever, who agreed with the land reformers among the Democrats, that politicians with vested interests would be unlikely to vote for reform, because they could not bring themselves to "relinquish their profit which they make off of the tenant farmer."[58] *Harlow's Weekly* published Mckeever's comments at the beginning of the 1919 legislative session in an attempt to lend an appearance of bipartisan urgency to the issue.

Though these sketches of attitude and activity among local Democratic leaders do not exhaust the subject, the examination of the lives of Williams and his associates provides some comprehension of the "new" men who sought opportunity in the old American way. The Oklahoma businessmen were literally and frantically "men on the go," desperate to achieve some

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[56] *Oklahoma Farmer-Stockman* (Oklahoma City), March 25, 1917.
[57] *Harlow's Weekly*, December 12, 1917.
[58] *Harlow's Weekly*, January 8, 1919.

distinction in communities which the boosters represented as "classless," but which were actually fissured with anxieties about social rank. The accomplishments which brought Williams "distinction" posed a problem for his associates and neighbors, for they had to explain to themselves why they had not achieved his standing. Why did Williams' associates have to endure his stinging rebuke for using "insider's advantages" in their banks when the great leader himself obviously operated on the inside to secure his own advantage and that of his party and friends? Unable to deny that he deserved his distinction, his neighbors and associates had to admit that they had not "made" themselves equally successful. Yet, they also believed that they were decent church-going and business minded citizens who deserved respect. They could not help but feel somewhat diminished when Williams, from his loftier station, tendered his respect, and thus it was gratitude and respect that they demanded from the ragged country dwellers who were thought to need the "intelligent" help and kind charity of townspeople. And, for the same reason—to bolster their own self-esteem—they scorned the blacks, Socialists and the tenants whose mind was warped beyond redemption by the perverse "class" doctrines of socialism. The morally corrupt and politically dangerous could not be made to render even grudging respect; they were fit only to be driven from decent society.

In the terms of the day most of the Oklahoma Democrats would easily qualify as Progressives of the Bryan and Wilson varieties. As small businessmen in the hinterland, they were deeply suspicious of eastern corporate business. As southern Democrats they were fearful of the federal power exercised by Republican "tools" of the interests. As aspirants of middle class decency, they feared the sullen hostility of the local lower class. This was the well-recognized political visage worn by Progressives throughout the country.

However, the Oklahoma Progressives, far more than their counterparts elsewhere, were identified in their own locale as the "vested interests," the "machine," or the "court house ring." They held the decisive portions of power and property in their rural society and they had to defend their interests against what must be regarded as a politically aroused landless rural proletariat. The Socialist party, when its organization was expanding and its agitation incessant, dramatized the discontents of the tenants and small farmers, focused those discontents upon business enterprises and threatened to arrest the entrepreneurial and speculative activities which conferred advantage and prestige upon middle class Democrats.

GOVERNOR LEE CRUCE, WHITE SUPREMACY AND CAPITAL PUNISHMENT, 1911–1915

*By Orben J. Casey**

Negro Johnnie Richardson of Hitchita, Oklahoma, posed a plaintive question to Governor Lee Cruce in his letter of February 19, 1914, when he asked, "Do you belive god made the Colored People with feeling the Same as he made the White people if you has that belief why dont [sic] you give the Colored man half the privileges the White man gets."[1]

Richardson voiced the dissatisfaction of thousands of Oklahoma blacks. "Jim Crow"—born and nurtured in the North—had moved South and shortly after statehood in 1907, had been adopted by Oklahoma. To tighten restriction on the Negro even more, in 1910, the Oklahoma legislature enacted the infamous "Grandfather Clause." That constitutional amendment for all practical purposes disfranchised the illiterate Negro unless his ancestors had been eligible to vote by January 1, 1866.[2]

Curiously, Richardson's plea for help was addressed to a chief executive who had regularly preached "White Supremacy" in his race for governor. the *Daily Oklahoman* named Lee Cruce the "White Men's Hope," after his campaign speech in Sentinel, Oklahoma, where he had exclaimed:[3]

> Do you realize, fellow citizens, you who believe with me that Oklahoma is to remain a white man's country, that the separate school, separate coach and separate waiting room law would not be safe with McNeal as governor? . . . I pledge you now that I will ever protect and enforce the laws that assure white supremacy to the white race.

By the end of his term, however, the governor had established an unusual record of fairness to the blacks in an era when the Oklahoma politician was expected to degrade the Negro.[4] A respected black editor wrote of Cruce during his unsuccessful race for the United States Senate in 1930, that "If . . . your face is black, the *Black Dispatch* does not see how in conscience you can do other than vote for this very fine man. . . . If a Southern man

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* The author is a practicing attorney in Oklahoma City, Oklahoma, and adapted the article from his Master of Arts thesis, "Governor Lee Cruce and His 'Righteous Crusade.' "

[1] Governor Lee Cruce Administrative File, Oklahoma State Department of Libraries, Division of Archives and Records, Oklahoma City, Oklahoma.

[2] Seith K. Corden and W. B. Richards, comps., *The Oklahoma Red Book* (2 vols., Tulsa: Democrat Printing Company, 1912), Vol. I, "Oklahoma Constitution," Article III, Section 4a, p. 122.

[3] *Daily Oklahoman* (Oklahoma City), October 29, 1910, p. 1.

[4] *Black Dispatch* (Oklahoma City), January 26, 1933.

ever reaches the presidential chair of this nation, we hope that man will be Lee Cruce."[5]

The tall, angular ex-Kentuckian, an attorney and more recently an Ardmore, Oklahoma, banker, was forty-seven years old when he became Oklahoma's second governor in 1911, after defeating William H. "Alfalfa Bill" Murray in the Democratic primary and Republican Joseph W. McNeal in the general election. Cruce had received 120,218 votes to McNeal's 99,527.[6] Less than 1,000 Negroes could meet the voting requirements of the "Grandfather Clause" so 29,000 fewer Negroes voted in 1910, than in previous elections.[7] As blacks generally voted the Republican ticket, it is conceivable Cruce would have lost the election if the "Grandfather" amendment had not been adopted three months before.

The Cruce regime was far from a placid one. If the disfranchising amendment had assured a Democratic victory, its enforcement added to the problems plaguing the governor throughout his term. For example, overzealous and bigoted election inspectors often were prone to lend their own unique construction to the "Grandfather" law, thereby denying even the literate Negro the right to vote.[8] Oklahoma's chief executive made plain his disapproval of such tactics by insisting that "Where . . . the judges of the election know that a negro is a qualified voter there is no more reason for applying the test [Grandfather Clause] than there is for making me swear that I am twenty-one."[9] On the other hand he strongly supported those officials honestly adhering to the law.[10]

The "Grandfather Clause" was finally ruled unconstitutional by the United States Supreme Court in June, 1915, but Governor Cruce's overall appraisal of the amendment was one of satisfaction. "The law has worked well in this State and a higher class of citizens are participating in elections on account of this qualification," he declared.[11] At another time he explained to a student requesting information about the amendment for debate purposes, that "It is my candid opinion that if the . . . [Negro] would turn his attention to some other avenue of life, and rather leave political controversies to the white race, all classes of citizenship would profit by it."[12]

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[5] *Ibid.*, July 31, 1930.

[6] Basil R. Wilson, *Directory and Manual of the State of Oklahoma* (Oklahoma City: State Election Board, 1967), p. 131.

[7] Arrell M. Gibson, *Oklahoma: A History of Five Centuries* (Norman: Harlow Publishing Corp., 1967), p. 347.

[8] Lee Cruce to Frank Dale, October 20, 1911, Governor Lee Cruce Administrative File.

[9] *Daily Oklahoman*, October 24, 1912, p. 1.

[10] F. S. E. Amos to W. D. Humphrey, February 28, 1911; Cruce to Charles West, August 31, 1912; Cruce to Clark F. Bryan, September 17, 1912, Governor Lee Cruce Administrative File.

[11] Cruce to Glenn N. Porter, April 21, 1911, *ibid.*

[12] Cruce to Edgar L. Smith, April 29, 1911, *ibid.*

MEN WHOM YOU ALL KNOW

DEMOCRATIC NOMINEES FOR STATE OFFICE

Democratic Rule is a "GOLDEN RULE" for Oklahoma

LEE CRUCE

FOR GOVERNOR

Sunshine and Prosperity

"I would rather be the man who helps scatter sunshine into the homes of the poor and helps bring prosperity on fleet wings to Oklahoma, and help place the banner of Oklahoma alongside the banners of other great states, than have all the gold there is beneath the sun."---*Lee Cruce*

Poster booming Lee Cruce for the 1911 gubernatorial race that he eventually won

There was no doubt that Cruce's view of the Negro's role endorsed the type of leadership exemplified by Booker T. Washington, who had counseled his race to "Cast down your bucket where you are," and concentrate on vocational education and economic opportunity.[13] Oklahoma was doing its part in providing educational opportunity for the blacks, Governor Cruce informed an educator at the Tuskegee Institute in Alabama. According to the governor's figures, citizens of Oklahoma were contributing as much per capita to the education of the Negro as to the education of the white race. This resulted in "splendid" higher education facilities for the blacks.[14]

Although Cruce approved the "submissive" leadership supplied by Washington, he was clearly displeased with the more aggressive tactics of another rising black leader, W. E. B. Du Bois. Du Bois had been instrumental in forming the National Association for the Advancement of Colored People and edited the organization's publication, *The Crisis*. In June, 1914, the paper reported the case of Sarah Rector, an Oklahoma Negro orphan and heir to an oil fortune producing a $15,000 monthly income. Mismanagement of the child's estate—called an example of Oklahoma's mistreatment of all Negroes—had been termed a "national scandal" by Negro newspapers in the East. A purported picture of the girl showed her standing in front of her home—"a dirty shanty."[15]

Attorney James C. Waters, Jr., of Washington, D.C., wrote Governor Cruce a long letter about the Rector child and criticized the "Negrophobia" prevalent in Oklahoma.[16] Cruce's two and one-half page reply was prompt, detailed and firm. Enclosing the result of an investigation conducted by Muskogee County Attorney Wesley E. Disney—later a congressman from Oklahoma's First District—the governor said, "So far as I am informed, this letter correctly states the facts in the case, and is not based upon any sensation[al], manufactured, irresponsible declarations." After commenting on the excellent management of the Rector estate, he continued:[17]

> The alarming thing to me is that men who set themselves up as leaders and teachers, editors of great newspapers and producers of magazines and other periodicals supposed to give intelligent information, will permit themselves to be imposed upon by such statements as those contained in *The Crisis*. It seems to be the policy of the Eastern papers to do everything possible to misrepresent and discredit the people of Oklahoma.

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[13] Booker T. Washington, *Up From Slavery: An Autobiography* (Garden City: Doubleday and Company, 1946), pp. 219–20.

[14] Cruce to Isaac Fisher, July 13, 1914, Governor Lee Cruce Administrative File.

[15] James C. Waters, Jr., to Cruce, May 20, 1914, May 29, 1914, *ibid.*

[16] *Ibid.*

[17] Cruce to Waters, June 2, 1914, *ibid.*

Cruce went on to describe the Negro's treatment in Oklahoma as being equal to that of any other state, and "possibly better than in the North." Admonishing Waters to discontinue lending his influence to the spreading of inflamatory references about Oklahoma, the governor concluded, that "Certainly it is that giving publicity to such statements as are contained in *The Crisis* is not calculated to promote or encourage more friendly relations between the two races in Oklahoma."[18]

Cruce must have convinced Waters, who was probably a Negro himself, that the Rector case had been erroneously reported. The attorney's correspondence had reflected no inclination to flattery, so his last letter is perhaps suggestive of the reputation Cruce had established by 1914 for fair treatment of the Negro:[19]

> Your splendid tribute to the people of your State does you credit, both as Governor and as Lee Cruce, the citizen. It is in line with the fine record of your public service in Oklahoma which record, as known to me, led me to expect just such courtesy from you in this case as has actually been accorded me. If in my humble judgment the people of Oklahoma do not deserve, upon their record, quite so sterling a tribute as you have paid them, surely no fault in that behalf is to be laid at your door.

Strong criticism of Oklahoma by Waters, *The Crisis* and black newspapers was, of course, not without justification. Manifestations of "Negrophobia" in the form of mob violence, disfranchisement and general intimidation—characteristics not confined to Oklahoma—led many Oklahoma blacks to dream of an "earthly heaven" in West Africa.[20] Even Oklahoma's United States Senator, Thomas P. Gore, lent his support to the idea of a Negro migration.[21] In addition, Richardson had closed his disconsolate letter to Governor Cruce by warning, "So Governor if we dont [sic] get Relief Soon the Colored Race will leave and go to our Sweet home in Africa and then other races will Sure mistreat this country."[22]

The time was at hand for the advent of one "Chief" Alfred C. Sam, a self-appointed black Moses. In 1913, Oklahoma's chief executive began receiving inquiries about Sam's proposal to settle Blacks in the Gold Coast Colony of West Africa in exchange for their purchase of a $25.00 share of

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[18] *Ibid.*

[19] Waters to Cruce, June 19, 1914, *ibid.*

[20] British Consulate to Cruce, November 7, 1913, *ibid.*

[21] Cruce's Acting Secretary to Luther Fort, July 30, 1913, *ibid.*; *Muskogee Cimeter* (Muskogee), February 12, 1909, quoted in Kay M. Teall, *Black History in Oklahoma: A Resource Book* (Oklahoma City: Oklahoma City Public Schools 1971), p. 285.

[22] Johnnie Richardson to Cruce, February 19, 1914, Governor Lee Cruce Administrative File.

stock in his Akim Trading Company. Enthusiasm for the venture reached a high pitch among the blacks of eastern Oklahoma.[23] However, Governor Cruce suspected Sam's motives from the beginning, but neither the Secretary of State nor the British Embassy would positively condemn the project. Nevertheless, the governor regularly advised all inquirers to be wary of the financial hazards.[24]

Encouraged by the governor to file any proper charges, Okfuskee County Attorney Tom Hazelwood managed to arrest Sam for obtaining money under false pretenses, but soon discovered he could not convict the "Chief," because the presumed victims were found to be the promoter's staunch friends and supporters.[25] In early 1914, the British Embassy—no doubt visualizing thousands of American Negroes destitute in the Gold Coast Colony—undertook a thorough investigation, and the American Secretary of State forwarded the embassy's report to Governor Cruce. It disclosed that Sam was not a bona fide African chief, he had not made specific arrangements for Gold Coast land and the Colony's police officials wanted him on charges of fraud.[26]

"Chief" Sam's persuasive salesmanship and the elusive nature of his scheme—a mixture of fact and fantasy—had cost this country's blacks approximately $75,000 by February, 1914. Apparently, as much as $68,000 of this sum had been collected from Oklahomans. One newspaper story, surely an exaggerated one, reported 25,000 Oklahoma blacks had each purchased a $25.00 share of stock from Sam.[27]

In spite of newspaper disclosure of the African officials' opinion of the enterprise and Governor Cruce's efforts to discredit it, "Chief" Sam eventually did transport sixty Negroes to the Gold Coast Colony. They arrived in January, 1915, only to find they should have heeded the governor's advice, and most of the sixty ultimately returned rather than endure the primitive living conditions encountered in Sam's "earthly heaven."[28]

If Oklahoma blacks were indeed in a "suffering condition" and "in bondage," as contended by Richardson and others, they did find their governor to be a formidable advocate in one vital phase of their lives—the

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[23] Cruce to C. M. Pearson, November 10, 1913; Tom Hazelwood to Cruce, December 12, 1913; Cruce to J. B. Moore, January 3, 1914 and J. B. Moore to Cruce, December 27, 1913, *ibid.*

[24] Cruce to Alexander Johnson, September 2, 1913, *ibid.*

[25] Hazelwood to Cruce, December 12, 1913, *ibid.*

[26] J. B. Moore to Cruce, February 25, 1914, *ibid.*

[27] *Daily Oklahoman*, May 26, 1914, p. 4.

[28] Teall, *Black History in Oklahoma*, p. 288. For a complete account of Sam's activities, see William E. Bittle and Gilbert Geis, *The Longest Way Home: Chief Alfred C. Sam's Back-to-Africa Movement* (Detroit, Michigan: Wayne State University Press, 1964).

right to equal protection under the state's criminal laws. At one time the governor cited Oklahoma statistics for 1912, to show that homicides committed by whites doubled those committed by Negroes, yet the death penalty was inflicted on eleven times as many Negroes as whites.[29] This should not be the case, Cruce assured a Caddo County resident, for in "the administration of justice there is no color line."[30] Thus, it was the blacks who became the primary beneficiaries of the governor's opposition to capital punishment, a dramatic policy he adopted in July, 1911.

The first to benefit from the governor's compassion was an eighteen-year-old Negro, John Henry Prather, who had confessed to murdering a white man during a robbery across the street from the temporary state capitol building in Oklahoma City. Thus, the next morning from his office window the chief executive could see the victim's blood on the pavement. Earlier in the year he had allowed the hanging of one black in Tulsa County, and consequently, there was no indication the governor was about to abolish capital punishment during his administration by use of his constitutional power to alter death sentences.[31]

Prather stood in burial attire prepared for the long walk to the gallows when notified that Cruce had commuted his death sentence to life imprisonment. The governor commented in a letter to the Oklahoma County Sheriff that numerous vicious crimes had been committed in Oklahoma's twenty-one years as territory and state, but only one man—a Negro—had been sentenced to hang. He went on to explain that had Prather been white instead of black that:[32]

> I would have received thousands and thousands of letters petitioning me for clemency; as it is, the offense was committed by a negro boy without friends and without parents, who has had no fair opportunity to make a man of himself by any training that he might have received; a member of an inferior and despised race, and now as the hour of doom approaches, there is not a voice raised in his behalf.
>
> I believe that every end of justice will have been met by confining this boy to imprisonment for life, and I so decree. . . . In doing so, I realize that I will call down upon my head the indignation and criticism of tens of thousands of the best citizens in this state, but be that as it may, I am doing what my conscience tells me should be done, and I had rather live feeling that I had

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29 *Daily Oklahoman*, February 8, 1914, p. 1.

30 To J. W. Kunkel, July 3, 1913, Governor Lee Cruce Administrative File.

31 Cruce to Mrs. M. H. Weedan, April 22, 1911, *ibid.*; *The Daily Oklahoman*, February 8, 1914, p. 1; Corden and Richards, comps., *The Oklahoma Red Book*, Vol. I: "Oklahoma Constitution," Article VI, Section 10, p. 57.

32 *Tulsa Daily World* (Tulsa), July 29, 1911, p. 1; *Oklahoma City Times* (Oklahoma City), July 28, 1911, p. 1.

done this boy and his race no wrong than to have the commendation and applause of every citizen of this universe.

Reverberations were immediate. The *Oklahoma City Times* hotly solicited the governor's resignation. However, unknowingly it predicted the chief executive's future policy by saying, in view of Prather's confessing to such a coldblooded murder, "Gov. Cruce during his term of office is in all fairness bound to see that no man is ever hanged."[33] The Republican *Tulsa Daily World* lauded the governor's action and noted that the state's "Democratic press [is] now shouting itself hoarse, in condemnation of the man it elected governor."[34] Not all citizens praised his action though, and the Oklahoma City Post Office withdrew from the governor's mail at least ten postcards containing nonmailable epithets and referred them to a postal inspector for appropriate action.[35]

Within a short time two blacks allegedly guilty of assaulting white women had been hanged by mobs in Oklahoma—one at Durant and the other at Purcell.[36] A number of individuals and newspapers promptly blamed commutation of Prather's death sentence for the lynchings.[37] "Alfalfa Bill" Murray, who contended that all types of violence increased during the Cruce administration, wrote that the Purcell mob "cut the little finger off the Negro and sent it to Cruce for a souvenir."[38] The *St. Louis Post-Dispatch* described the episode and observed that a note accompanying the "souvenir" reminded the governor, that if you want to pardon this criminal "you will have to go to hell to do it."[39] Nevertheless, the conscience of the implacable Lee Cruce was clear. "I have received hundreds and hundreds of letters from all over this State from men in every walk of life commending me for what I did," he wrote an attorney friend in Ardmore, and declared that "I am feeling perfectly contented over the result."[40]

Several months later Cruce again asserted his belief in the right of blacks to equality under the law. The occasion was his address before an unfriendly audience attending the 1912, Oklahoma Democratic convention in Oklahoma City. Cruce engaged in a fiery speech denouncing the politicians, justifying his political appointees and defending his refusal to call a special

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[33] *Ibid.*

[34] *Tulsa Daily World*, August 1, 1911, p. 4.

[35] Postmaster to Amos, September 15, 1911, Governor Lee Cruce Administrative File.

[36] A. N. Leecraft to Cruce, August 15, 1911, *ibid.*; *Purcell Republic* (Purcell), August 24, 1911; *St. Louis Post-Dispatch* (St. Louis, Missouri), September 10, 1911, p. 1.

[37] *Tulsa Daily World*, August 29, 1911, p. 4.

[38] William H. Murray, *Memoirs of Governor Murray and True History of Oklahoma* (3 vols., Boston: Meador Publishing Co., 1945), Vol. III, p. 222.

[39] *St. Louis Post Dispatch*, September 10, 1911, p. 1.

[40] Cruce to W. R. Bleakmore, August 21, 1911, Governor Lee Cruce Administrative File.

legislative session. Suddenly in the midst of the speech a loud voice broached Cruce's policy on capital punishment. Visibly angry, the governor retorted:[41]

> I have tried to do my duty, and I did it when I commuted the death sentence of the negro [Prather]. I am not governor for any man, or for any class of men, but of every man in the state, and the blackest man in Oklahoma will receive the same sort of justice at the hands of the governor of Oklahoma that is given the whitest man in the state. If you want a different governor from that, you will have to wait three years to get him.

By the time his term was less than seventeen months old, Cruce had commuted the death sentences of three more blacks, all convicted murderers.[42] One of these, known as Governor Brown, upon hearing his death sentence pronounced with the customary, "And may God have mercy on your soul," was reported to have jokingly remarked, "I hope God will, as the court and jury haven't had any."[43] Perhaps the deity did intervene—the judge and jury relented shortly thereafter and recommended commutation of his sentence.[44]

The governor's well-publicized opposition to the death penalty provided a popular debate topic and ministers found a wealth of sermon material in its biblical aspects.[45] Cruce was always displeased with those churchmen who disagreed with his philosophy. For example, writing to a constituent whose pastor favored the death penalty, he commented, that the minister "has now had more than a year [since the Prather commutation] to prepare his sermon, and I presume he has done his best.... I am glad that my reading of the Bible and the religion that I believe in, is not a blood-thirsty, life-demanding one."[46] He spoke at a Methodist conference in Guthrie, Oklahoma, and took advantage of the occasion to reprove the ministers for their lack of support, saying, "I have never been able to understand why many ministers whose mission in life is to try to save human souls should insist that it is right to take human lives."[47]

Cruce's message to the Fourth Legislature consisted of 117 printed pages and discussed everything from prizefighting to christening the battleship *Oklahoma*. It also set forth his views against capital punishment in some

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41 *Lawton Constitution* (Lawton), February 29, 1912.
42 Pardon Clerk to F. S. Barde, May 17, 1912, Governor Lee Cruce Administrative File.
43 *Tulsa Daily World*, January 16, 1916, p. 4.
44 Cruce to Bart Murphy, March 2, 1912, Governor Lee Cruce Administrative File.
45 *Harlow's Weekly* (Oklahoma City), October 5, 1912, p. 8.
46 Cruce to A. J. Allison, September 21, 1912, Governor Lee Cruce Administrative File.
47 *Daily Oklahoman*, October 18, 1912, p. 2.

detail.[48] By that time, the fall of 1912, he had commuted eight death sentences to life imprisonment, and as he told the legislators, "The ground I take is that the infliction of the death penalty by the State is wrong in morals, and is destructive of the highest and noblest ideals in government." He discounted the biblical injunction, "An eye for an eye and a tooth for a tooth," as being an outdated answer to the needs of modern civilization, and aptly pointed out that Oklahoma law had already abandoned literal interpretation of the Mosaic Code that would have required death sentences for numerous other offenses.[49]

The reference to the Mosaic Code answered one prestigious critic, Chief Justice Henry M. Furman of the Criminal Court of Appeals of Oklahoma. Earlier Governor Cruce had disregarded that court's opinion that Prather, having confessed to a "wanton and deliberate murder," should be hanged.[50] Thus, the judges had the governor's view of capital punishment in mind when they rendered a decision in *Holmes v. State* in December, 1911. This case involved another defendant in the Prather murder case, and as a part of the decision Furman had quoted "Numbers" 35:31–35 and "Deuteronomy" 19:10–13 to prove that the jury's right to inflict the death penalty was an outgrowth of "divine law" as well as "human law."

In his message to members of the legislature the governor also insisted that allowing capital punishment did not discourage mob violence. To support this reasoning he stated that in 1911, twenty-nine lynchings had taken place in five states permitting the death penalty but no lynchings occurred in the seven states with laws against it.[51] Actually the governor's figures—fragmentary and disregarding the racial aspects of mob violence—were valueless as a defense against the death penalty. Information now available shows that in addition to the seven states mentioned, another twenty-four states allowed the death penalty but suffered no lynchings. The remaining seventeen endured seventy-one lynchings; however, twelve of the seventeen were states of the original Confederacy plus the border states of Kentucky, Oklahoma and Missouri. All of these bore racial maladjustments contributing to sixty black lynchings but only six white.[52]

He cited other statistics to demonstrate that his stand against the death penalty had not increased the number of homicides in Oklahoma and,

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[48] Lee Cruce, *Regular Biennial Message of Governor Lee Cruce to the Legislature of 1913, Oklahoma* (Vinita: Leader Printing Company, 1913), pp. 38–42.

[49] *Ibid.*

[50] *In re Opinion of the Judges*, 115 P. 1028 (1911).

[51] Cruce, *Regular Biennial Message of Governor Lee Cruce to the Legislature of 1913, Oklahoma*, pp. 38–42.

[52] Monroe N. Work, *Negro Year Book: An Annual Encyclopedia of the Negro, 1925–1926* (Tuskegee Institute: The Negro Year Book Publishing Company, 1925), pp. 400–402.

Justice Thomas H. Doyle of the Criminal Court of Appeals who reproved Cruce for his capital punishment policy by declaring it "wholly ignores the innocent murdered victim"

according to his figures, stated there had been five fewer homicides in 1911, than in 1910, a total of 222 compared to 227.[53] On another occasion, the governor—a constant crusader for law enforcement—ascribed seventy-five percent of Oklahoma's high homicide rate to violations of prohibition and gambling laws.[54]

He was emphatic in the conviction that, "When a State sets the example of placing so cheap an estimate upon human life [by permitting capital punishment], it is little wonder that the public adopts the same view of it." To those arguing the value of capital punishment as a crime deterrent, he replied that incarceration in the penitentiary for life would accomplish the same objective. Also, he reminded the lawmakers, there is always a possibility the prisoner will be found innocent.[55]

R. A. Kleinschmidt, an Oklahoma City attorney, undertook rebuttal of the Cruce argument in a long article in the *Daily Oklahoman*. He termed the governor's logic "purely sentimental," and lacking regard for the importance of capital punishment as a crime deterrent or as a means of protecting society from vicious criminals. According to Kleinschmidt, Oklahoma's homicide rate was almost double that of "the average sections of the country," and more startling, the rate was fifteen times that of England —a nation where capital punishment was rigidly enforced. Further, Kleinschmidt declared, in the last seventy-five years not a single death in the British Empire could be attributed to mob violence.[56]

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[53] Cruce, *Regular Biennial Message of Governor Lee Cruce to the Legislature of 1913, Oklahoma*, pp. 38–42.

[54] *Daily Oklahoman*, February 8, 1914, p. 1.

[55] Cruce, *Regular Biennial Message of Governor Lee Cruce to the Legislature of 1913, Oklahoma*, pp. 38–42.

[56] *Daily Oklahoman*, December 15, 1912, p. 10-A.

Kleinschmidt referred to another decision of the Criminal Court of Appeals, in which Justice Thomas H. Doyle had reproved Cruce for his use of the commutation power. In that case, decided shortly after publication of the governor's message to the legislature, Doyle had written:[57]

> We think that capital punishment as the penalty for murder is essential to the security of society, and we have no sympathy with the sickly, sentimental humanitarianism which, in the exercise of a mawkish sympathy for a heartless unfeeling, felonious assassin, forgets, and wholly ignores the innocent murdered victim.

Kleinschmidt and Justice Doyle were not alone in accusing Cruce of weakness or "sentimentalism." It is significant, however, that Cruce's official correspondence revealed his disposition to let lawbreakers pay the penalty, except when the penalty was death. For example, he was angry and resorted to legal action in an attempt to nullify the generosity of unpredictable Lieutenant Governor J. J. McAlester. Nicknamed "Skidoo" McAlester by the *Oklahoma City Times*, the lieutenant governor granted over 100 pardons and paroles during Cruce's three brief absences from the state.[58] At another time, officials of Blaine County pleaded that county funds were "practically exhausted," and urgently recommended the parole of four prohibition violators housed in the county jail. Cruce replied that though enforcement of the law was inherently expensive it was essential to suppress crime. Consequently, he did not consider financial savings to the county as being sufficient grounds for parole.[59]

Finally, the governor's preference for permitting the law to take its course was brought out in the case of a prominent architect's son convicted of stealing a typewriter. A *Tulsa Daily World* reporter requested clemency for the young man, but Cruce was not swayed by the prestige of either the architect or the newspaper. "It was quite apparent to me," he wrote the reporter:[60]

> That the only ground upon which clemency was asked, was that of sympathy. . . . I sympathize with all of these unfortunate people, who through perverse natures or under strain of passion commit offenses which necessitate the sending of them to prison. However, if sympathy alone were to govern, I presume there would be a very few men left in the prison, and little or no enforcement of our criminal laws.

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[57] *Fritz v. State*, 128 P. 170 (1912).

[58] *Oklahoma City Times*, September 23, 1911, p. 9, September 25, 1911, p. 4; *Daily Oklahoman*, August 3, 1913, p. 1; *Harlow's Weekly*, April 3, 1915, p. 231.

[59] Cruce to A. L. Emery, April 17, 1912, Governor Lee Cruce Administrative File.

[60] Cruce to Glen Condon, February 8, 1912, *ibid.*

On only one occasion did he indicate a slight wavering in the unyielding position he had maintained on the capital punishment issue. A delegation of leading Guthrie citizens had conferred with him regarding his attitude toward executing Lew Green, a black about to stand trial for murdering two Guthrie policemen. There would be no hangings while he was governor, he told them, but commenting upon the fact that several prisoners on death row were awaiting results of their appeals, he made an unexpected announcement. In the event Green's case reached him, he would either allow the execution or grant a reprieve extending into the term of the next governor. "Then," said Cruce, "If the next governor is so disposed, he can hang all the convicted men the same time and have a day of glorious killing in the State of Oklahoma."[61]

By early 1913, the state press began to question the governor's interpretation of the power vested in him by the state constitution. The power to commute death sentences, his critics maintained, was to be resorted to only in those "extraordinary cases" where common justice demanded it. Indignation reached a high point in the case of one black man sentenced to death in Wagoner County Court. The governor had bypassed normal procedure and commuted the sentence before receiving notice of appeal or a complete report from presiding judge. He explained that, although it was not his practice to interfere in court cases prematurely, certain "evasive answers" over the telephone had made him suspect the judge's intentions.[62]

The *Muskogee Times-Democrat* ridiculed the governor's behavior, and declared that, "He was afraid that a judge and sheriff elected by the people were conspiring to commit murder. Bah!"[63] Perhaps the governor's suspicions were well-founded, for a few days later the same newspaper reported the death of another Wagoner County Negro accused of assault. "[This black] will not cause Governor Cruce nor Judge Degraffenreid [the presiding judge] another controversy," the newspaper commented.[64]

In November, 1913, a Wewoka, Oklahoma, mob of 300 hanged a black to a telephone pole to avenge the murder of a Seminole County deputy sheriff. "A large placard on which was written 'To the Memory of Lee Cruce' was tied to the negro's feet as his body swung from the pole."[65] In

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[61] Unidentified newspaper clipping, "New Turn in Cruce Position on Capital Punishment Makes Legalized Death for Negro Killer Possible," Cruce Folder, Fred S. Barde File, Library, Oklahoma Historical Society, Oklahoma City, Oklahoma.

[62] *Harlow's Weekly*, January 4, 1913, pp. 22–24.

[63] Quoted in *ibid.*, January 4, 1913, p. 23.

[64] *Muskogee Times-Democrat* (Muskogee), January 2, 1913; *Harlow's Weekly*, January 4, 1913, p. 24.

[65] *Daily Oklahoman*, November 5, 1913; *Wewoka Democrat* (Wewoka), November 6, 1913.

Justice Henry M. Furman who countered Cruce's leniency with the Biblical quote: "And ye shall take no satisfaction for the life of a murderer, which is guilty of death: but he shall be surely put to death"

a subsequent announcemnt, the chief executive referred to the mob's "placarding the slain victim with inscriptions to the governor." However, he assured the participants he was not disturbed in the least by such conduct nor would he alter his capital punishment policy.[66]

A month after the Wewoka hanging, Justice Henry M. Furman took judicial notice of Cruce's position toward capital punishment. Calling it "utterly untenable," he sustained the death sentence of Negro Newton Henry, convicted of committing murder because of a 60¢ debt and jealousy over a woman—apparently in that order. Furman discussed the harm being done to law enforcement in Oklahoma and declared that only the courts have the right to determine the intent of Oklahoma's constitutional provision, Article VI, Section 10, which grants the governor the power to alter punishment of a convicted criminal.[67]

Also, he believed a governor should exercise that power only for unusual reasons peculiar to a specific case. "No governor has the right to substitute his own view for the law on capital punishment or any other question," said Furman who also cited the thirty-fifth chapter of "Numbers" once more as the "divine law" on the subject.[68]

Cruce remained unimpressed. Four months after Furman's decision Cruce quoted the *New Testament* as his authority for commuting Henry's sentence, when he stated:[69]

> Whereas it is against the ethics of Christian teachings of modern civilization to inflict the death penalty as a punishment for crime; that such punish-

[66] *Daily Oklahoman*, February 8, 1914, p. 1.
[67] *Henry v. State*, 136 P. 982 (1913); *Daily Oklahoman*, November 30, 1913, p. 4-A.
[68] *Ibid.*
[69] *Daily Oklahoman*, April 15, 1914, p. 2-A.

ment tends to degrade and debase the citizenship that practices it, and its infliction is but yielding to all the baser passions and prejudices of the savage instincts of man, and whereas the Teacher of all teachers, the Judge of all judges, has given His command, 'Thou shall not kill,' and enjoined it upon His people whether as individuals or collectively.

Now, therefore, I, Lee Cruce, governor of the state of Oklahoma, by virtue of the authority vested in me by law, and in the interest of a higher civilization and broader humanity, do hereby commute the sentence of death imposed upon the said Newton Henry to imprisonment in the state penitentiary for life at hard labor.

It goes without saying that Governor Cruce's interpretation of Article VI, Section 10, differed substantially from that of Justice Furman and the Criminal Court of Appeals. He broadly construed the law so as to permit the governor's complete discretion in commuting death sentences. This viewpoint was explained to the congregation of the First Baptist Church of Claremore, Oklahoma, where he said in effect that the law grants to a jury in the lower courts the right to exercise discretion in passing judgment upon the prisoner at bar. In turn the Criminal Court of Appeals may reverse a decision of the lower courts, and neither the jury nor the court is censured for exercising its own discretion. Then why, Cruce asked, should the governor be criticized for commuting the death sentence of a criminal under an express power granted by the Oklahoma Constitution?[70]

In each year of his term, Cruce made an earnest effort to obtain statistics from county officials regarding homicides in every county of the state.[71] The project was undertaken at the suggestion of Fred S. Barde, well known free lance writer, and it apparently was reasonably successful.[72] In late January, 1914, a Purcell, Oklahoma, mob lynched a black accused of murdering an Oklahoma City businessman. The event brought about renewed newspaper attacks on his policies and prompted the governor to issue a lengthy statement publicizing statistics gathered the past three years.[73]

His homicide figures had changed slightly from those in the 1912 legislative message, but the downward trend had continued, murders numbered 243 in 1910, 238 in 1911 and 209 in 1912. Records for homicides in 1913, were incomplete, but he estimated they would not exceed the 1912 total. He listed commutations of death sentences in his own and in Governor Charles N. Haskell's administration—one in 1909; three in 1910; one in 1911, the first

70 *Ibid.*, November 3, 1914, p. 3.

71 Cruce to T. B. Orr, January 13, 1914, and also form Letters to County Attorneys, December 20, 1911, Governor Lee Cruce Administrative File.

72 Barde to Amos, [ca January 14, 1912], *ibid.*

73 *Daily Oklahoman*, February 8, 1914, p. 1, January 28, 1914, p. 1, January 30, 1914, p. 6; *Harlow's Weekly*, January 31, 1914, pp. 3–4.

year of his term; eight in 1912; and three in 1913. He considered it significant that homicides did not increase in the years 1912 and 1913, when he permitted no legal executions. Nor did any lyinchings occur in 1912, the year he commuted the most death sentences.[74]

His statistics on lynchings were supplemented by information compiled by the Tuskegee Institute of Alabama and compared Oklahoma to the other Southern states:

	Lynchings in Southern States[75]			Lynchings in Oklahoma[76]			
Year	White	Negro	Total	White	Negro	Total	Percent in Oklahoma
1907	1	54	55		1	1	1.82
1908	2	85	87		None		
1909	7	62	69	4	1	5	7.25
1910	4	61	65		1	1	1.54
	14	262	276	4	3	7	2.54
1911	4	49	53		8	8	15.09
1912	1	58	59		None		
1913		42	42		4	4	9.52
1914	1	44	45		3	3	6.67
	6	193	199		15	15	7.54
1915	7	49	56	1	2	3	5.36
1916	3	43	46		4	4	8.70
1917		32	32		1	1	3.13
1918	2	57	59		1	1	1.69
	12	181	193	1	8	9	4.66
1919	2	72	74		None		
1920	2	44	46	1	2	3	6.52
1921	5	57	62		None		
1922	6	50	56		1	1	1.79
	15	223	238	1	3	4	1.68
1923	4	27	31		1	1	3.23
1924	—	13	13		None		
Total	51	899	950	6	30	36	3.79

The governor adopted July 28, 1911, as a dividing point as that was the date he commuted the Prather death sentence signaling the start of his

[74] *Daily Oklahoman*, February 8, 1914, p. 1.

[75] Mississippi, Georgia, Texas, Louisiana, Alabama, Arkansas, Florida, Tennessee, South Carolina, Virginia and North Carolina, as reported in Work, *Negro Year Book, 1925–1926*, pp. 400–402.

[76] For the years 1907–1913 see *Daily Oklahoman*, February 8, 1914, p. 1, and Typewritten Manuscript, Cruce Folder, February, [1914], Fred S. Barde File; Work, *Negro Year Book, 1925–1926*, pp. 400–402 for all later years. The *Negro Year Book* differs from figures in this column as follows: One more Negro lynched in 1907, one more white in 1910, three fewer Negroes in 1911, and one more white lynched in 1912. Lynching ceased to be a factor in Oklahoma after 1923.

capital punishment policy. He maintained there had been no increase in lynchings as a result of his policy, because the number of lynchings in the two and one-half years before and after the Prather commutation was the same—nine.[77] Unfortunately, although the number of lynchings remained at nine through the year 1913, three more lynchings took place in 1914 which somewhat discredits his claim.

If only one-half of the 1911, lynchings were the fault of the Cruce administration, the total for his term exceeds that of any other four year period, particularly the administration of his successor, Robert L. Williams, who did not object to capital punishment. Probably of more significance, the relationship between the number of Oklahoma lynchings and those in the eleven states comprising the original Confederate states, show that lynchings in Oklahoma during Cruce's four years amounted to 7.54 percent of the total in those states. Excluding four lynchings before July 28, 1911, Cruce's four year percentage was 5.53, still exceeding any other four year total for the state. Though impossible to evaluate, social and political factors—especially those unique to a new state—may have stimulated mob violence during the Cruce term. However, the statistics create a logical presumption that the increase in lynchings was a result of one characteristic peculiar to Cruce's administration—his capital punishment policy.

Cruce's dilemma increased when he was approached by white and black alike to put an end to mob violence. To one plea for action he answered, "The trouble, however, is that the crime for which this negro was lynched is of such an atrocious nature that men lose their reason when dealing with the subject and commit acts of violence that they would not think of doing under more sober reflection." Thus, the matter was for local officials to handle, he concluded.[78] But local officials, if they themselves were unbiased, were inept or simply powerless to cope with the ferocity of a mob.[79]

Newspapers never ceased their attack on the Cruce aversion to the death penalty. In the last year of his term he censured them for stimulating mob violence, when he declared:[80]

> I have no hesitancy in stating that inflamatory editorials that arouse the brutal passions and nature of men are a hundred times more responsible for mob violence in this state than any attitude the governor has assumed upon the question of capital punishment.

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[77] *Daily Oklahoman*, February 8, 1914, p. 1, January 30, 1914, p. 6.

[78] Cruce to M. C. Keddington, July 30, 1913, Governor Lee Cruce Administrative File.

[79] W. J. Cash, *The Mind of the South* (New York: Random House, Inc., 1969), pp. 309–310; John Samuel Ezell, *The South Since 1865* (New York: The Macmillan Company, 1963), p. 362.

[80] *Daily Oklahoman*, February 8, 1914, p. 1.

Generally the phenomenon of lynching was directed at the black race, within the "White Supremacy" concept of "keeping the Negro in his place." This was held to be true even though a more direct cause was assigned at the time of the lynching.[81] Rape has been discredited as the supposedly major reason for most lynchings.[82] In fact, the Tuskegee Institute lists rape or attempt to commit rape as the true reason in only 20.5 percent of the lynchings for the years 1889–1924, while the cumulative totals for the years 1882–1951 show 25.3 percent.[83] During the Cruce administration rape was cited as the cause in no more than six of the fifteen lynchings.[84]

Southern historian C. Vann Woodward may have described the plight of Oklahoma's blacks when he stated that as the Negro became "more defenseless, disfranchised, and intimidated," mob violence tended to rise.[85] The *Daily Oklahoman*, always the governor's apologist on the capital punishment issue, had a simple explanation: Within the "distorted vision" of those afflicted with "Negrophobia," the killing of a black—"either by execution or lynching"—was not considered a crime.[86]

The *Oklahoman* theory, though an exaggeration, nevertheless emphasizes the Negro's dilemma—the preponderance of blacks lynched, and the great disparity where the death penalty was inflicted. Governor Cruce commuted twenty death sentences in his four year term, and allowed one Negro to hang.[87] Of the first twelve sentences commuted, only one person was white.[88] An analysis by race is not available for the last eight commutations but no doubt the ratio of white to black remained substantially the same. Consequently, of the twenty-one death sentences it can be assumed nineteen were black and two were white. Blacks made up 8.3 percent of Oklahoma's

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[81] Ezell, *The South Since 1865*, p. 362; George Brown Tindall, *The Emergence of the New South, 1913–1945* (Baton Rouge: Louisiana State University Press, 1967), pp. 170, 172.

[82] *Ibid.*, pp. 172–173; Ezell, *The South Since 1865*, pp. 361–363; Cash, *The Mind of the South*, pp. 117–119.

[83] Work, *Negro Year Book, 1925–1926*, p. 398; Jessie Parkhurst Guzman, *Negro Yearbook* (New York: William H. Wise and Company, 1952), p. 278.

[84] Typewritten Manuscript, No. 1224, February [1914], Cruce Folder, Fred S. Barde File; *Daily Oklahoman*, April 1, 1914, p. 1. These references account for fourteen of the fifteen lynchings.

[85] C. Vann Woodward, *The Strange Career of Jim Crow* (New York: Oxford University Press, 1966), p. 87.

[86] *Daily Oklahoman*, February 10, 1914, p. 6.

[87] Cruce to Homer Gouldy, December 23, 1914, Governor Lee Cruce Administrative File. Nineteen commutations were attributed to the Cruce administration by C. C. West to Cruce, October 27, 1926, Cruce Collection, Western History Collection, Library, University of Oklahoma, Norman, Oklahoma.

[88] *Daily Oklahoman*, February 8, 1914, p. 1. In this statement Governor Cruce mentioned having permitted an execution in Tulsa County in 1911. This appears to have been Negro Frank Henson. See *Tulsa Daily World*, March 17, 1911, p. 1.

population according to the 1910 census, and even if they continued to commit half of Oklahoma's homicides—as they did in 1912—it is obvious that without the governor's intervention the blacks would have received the death penalty far out of proportion to their population.

In spite of the governor's earnest crusade for abolishment of capital punishment, he was to be wholly unsuccessful. "House Bill Number 134" changing the method of execution from hanging to electrocution was a questionable concession by the Fourth Oklahoma Legislature.[89] In the thick of his battle with state lawmakers on other matters, Cruce once briefly considered submitting the capital punishment question directly to a vote of the people.[90] But the hopelessness of this approach had already been forecast by a survey of the state press conducted by *Harlow's Weekly*—only four of fifty leading state newspapers favored Cruce's policy.[91] The governor's attitude toward capital punishment in the years 1911 through 1914 was not a unique one, however. By the middle of his term he could name six states—Maine, Rhode Island, Minnesota, Michigan, Wisconsin and Kansas—that had already abolished the death penalty.[92]

Cruce participated in a number of controversies during his hectic regime, but in late 1914, after almost four years in the governor's chair, he referred to his stand against capital punishment as having sparked more adverse criticism than any other matter in his administration.[93] Unlike most Oklahoma governors, in the last year of his term there was very little speculation that he would be a candidate for another elective office. In the words of F. S. E. Amos, his secretary and later University of Oklahoma history professor, the governor had "practically jeopardized himself politically" by refusing to rescind his policy on capital punishment.[94]

Currently, capital punishment has been erased from the statute books of many western nations.[95] Its effectiveness as a crime deterrent is still debatable, and only recently the United States Supreme Court ruled it may constitute "cruel and unusual punishment" forbidden by the Eighth Amendment or may violate the equal protection guaranty of the Four-

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[89] State of Oklahoma, *Session Laws of 1913* (Oklahoma City: Howard Parker, 1913), pp. 206–210.

[90] Clinton O. Bunn to Cruce, April 2, 1913, Governor Lee Cruce Administrative File.

[91] *Harlows Weekly*, December 14, 1912, pp. 13–14.

[92] Cruce to J. M. Dyer, March 4, 1913, Governor Lee Cruce Administrative File. The state of Washington was added to the list in 1913. Michigan allowed the death penalty for treason and Rhode Island allowed it for any life term convict committing murder. See Hugo Adam Bedau, ed., *The Death Penalty in America* (Chicago: Aldine Publishing Company, 1964), p. 12.

[93] *Daily Oklahoman*, November 3, 1914, p. 3.

[94] *Ibid.*, July 9, 1914, p. 5.

[95] *Daily Law Journal-Record* (Oklahoma City), September 15, 1971.

teenth Amendment.[96] The American Civil Liberties Union insists that where the death penalty is operative, "Most who die are Black; virtually all are poor and powerless, personally ugly and socially unacceptable."[97]

Many of these contemporary arguments against the death penalty—failure as a crime deterrent, "cruel and unusual punishment" and the failure to administer it impartially—had been expressed by Governor Cruce throughout his gubernatorial career sixty years ago.

Cruce could never agree that capital punishment was necessary as a crime deterrent for he believed life imprisonment would accomplish the same objective. Also he believed, whether due to religious conviction or "sentimentalism," that to inflict the death penalty in a civilized nation like the United States was "inhuman and barbarous."[98] In addition, he refused to compromise with prejudice after he found the Negro to be recipient of the death penalty far out of proportion to his numbers.

By singlehandedly abolishing capital punishment in Oklahoma, Cruce made questionable use of his constitutional power. At the same time he allayed his own conscience and achieved indirectly what he considered to be a primary duty of the chief executive—enforcement of the law with "equal fairness and justice" to all races.[99]

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[96] United States Government, *Statutes at Large* (Multi vols., Washington: Government Printing Office, 1848 to Present) Vol. 408, p. 238.

[97] *Daily Law Journal-Record*, September 15, 1971.

[98] Cruce, *Regular Biennial Message of Governor Lee Cruce to the Legislature of 1913, Oklahoma*, pp. 38–42.

[99] *Daily Oklahoman*, February 8, 1914, p. 1.

THE LAWS WHICH HAVE GOVERNED CLEVELAND COUNTY

*By Maurice H. Merrill**

"Wherever there is liberty there must be law, for freedom, unrestrained, descends to license." Any social order, even of the most rudimentary, must have its law—its way of dealing with troubled situations. So it was that wherever man came to be man, law also came into being. Oklahoma, with its varied succession of inhabitants and customs, has been subject to many varieties of law, and the impact of these can be seen in our legal and social systems of today. The impact has been varied in different parts of the state. Cleveland County's experience, for instance, was distinguishable from that of McClain County across the South Canadian River, although not to the degree that it differs from Kay County in north central Oklahoma or from McCurtain County in southeastern Oklahoma.

Most would expect that the first law to which this area would have been subject would have been that of the indigenous Indian tribes. Interestingly enough, however, the conditions were not favorable to the establishment of significantly lasting legal effects. The Comanches, the Southern Cheyennes, the Kiowas and the Arapahoes had complex and effective legal systems which have been the subject of extensive study by competent scholars. Nevertheless, these tribes were wandering horsemen whose writs did not run beyond the area where a particular band might be quartered for the time being. What now is Cleveland County is located at the eastern limit of the area over which bands of these tribes roamed in what might be called a more or less friendly and kaleidoscopic sharing of nature's bounty. The threat of Comanche raiding parties did have some effect on Cleveland County as late as the era of white settlement, but this was hardly an expression of a legal system.

The more sedentary and agricultural western tribes, such as the Caddo and the Wichita, who might have afforded more of an opportunity for influence upon the law of other peoples, established their settlements to the west of this particular section of Oklahoma. The eastern Five Civilized Tribes did not push their occupation into this area early enough to have had a substantial effect upon the social order when the country was opened to white settlement. Thus, the failure of the Indian to occupy the area to a great extent made it possible for federal officials to force its cession to the United States and to open it to homesteaders.

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The European influence on what now is Oklahoma began fairly early. The Spaniards from the Southwest invaded the Great Plains during the sixteenth century, but their presence was much like that of the roving Indians, exploring expeditions motivated by hopes of mineral riches or of fur trading. The same statement may be made of the French parties who came from the Illinois country, Canada or Louisiana. Though theoretically, the law of the eastern settlements might have applied, there were no instances of its actual administration.

The sovereignty of the United States was extended over the region by the Louisiana Purchase in 1803. Afterward, the new acquisition was divided into the Territory of Orleans, later to become the State of Louisiana and the District of Louisiana, embracing all the rest of the ceded lands. The latter was attached for administrative purposes to Indiana Territory, and theoretically, Indiana law could have been applied. However, it is doubtful that the Comanches and their associates were conscious that their barbaric occupation was subject to the writs of Indiana. Nevertheless, the District of Louisiana, within one year, became the organized Territory of Louisiana so that Indiana's governance did not last long. Seven years later, when the Territory of Orleans was admitted to the Union as the State of Louisiana, Louisiana Territory's name was changed to Missouri. In 1819, Arkansas Territory was organized from the southern portion of Missouri Territory and included what is now the State of Oklahoma, east of the one-hundredth meridian. However, the line of permanent white settlement, under all of these governmental shifts did not extend westward far enough to bring Cleveland County into an effective application of law, as distinguished from the previous random expeditions. Still, there had been some influx of settlers under Arkansas territorial organization into the eastern portions of the present state. Throughout the 1820s and 1830s, these settlements came into conflict with the new policy of the Federal government to remove as many as possible of the Indians from the southeastern United States to beyond the Mississippi River. The land to the west of the Arkansas settlements seemed appropriate for this purpose. As a result, in 1820, a treaty gave to the Choctaw Nation a tract which included some of the western settlements of Arkansas, and later agreements gave similar rights to the Cherokees and the Creeks. Still later came the Chickasaws and the Seminoles.

There are three provisions of the Constitution of the United States upon which the power of the Federal government was founded within Oklahoma. Perhaps most important was the fact that as the Indian tribes were regarded as quasi, sovereign nations, the authority of the federal officials to make treaties, by and with the consent of two-thirds of the United States Senate, could be invoked. This was the method used to arrange for the more

or less voluntary removal of the southeastern Indians. In addition, the Constitution also gave Congress the authority to regulate "commerce . . . with the Indian tribes," and, as commerce was legally defined as extending to every form of relationship, whether for commercial, financial or intellectual purposes, this forms a very broad source of authority wherever an Indian tribe was concerned. Also, the Constitution gave Congress the authority to make rules for the disposition of the territory or other property belonging to the United States, and this was construed to include the complete authority to govern the territories until they were admitted to the Union. Because acts of Congress and treaties stood upon an equal legal footing, and one may repeal the other, it was evident that the United States had wide authority to govern, and provide one of the systems governing the rights and obligations of the citizens of Cleveland County.

The southeastern Indians had reached a high degree of civilization, having assimilated the political and economic culture of the Euro-American settlers and having blended it with their own. They possessed written laws and constitutions modeled after those of American states, and in one tribe, the Cherokees, there had occurred the only historic instance of the achievement of the myth of Cadmus—Sequoyah's feat of creating a syllabary by his own independent act of genius combined with mental labor. The arrival of such people created the possibility of establishing systems of law that would have permanent impress upon the regions to which they applied.

In the apportionment of acreage in the new Indian Territory, the Seminoles, who arrived last, and were the smallest, numerically of the tribes, received for their heritage the land between the North and South Canadian rivers, commencing with the western boundary of the Creek Nation and extending along the North Canadian River to the southern boundary of the Cherokee Outlet, and then along the South Canadian River to the one-hundredth meridian. Thus, present Cleveland County, was within the sovereignty of the Seminole Nation and subject to its laws. But, due to the relatively small population, and the natural tendency of new arrivals to settle first upon the land near at hand, no permanent effect upon the region's institutions resulted. Only at some of the transient trading posts that were established along the South Canadian River was Seminole law applied as occasion arose.

The next step in the application of law to the area occurred at the close of the Civil War. Because a large proportion of the Five Civilized Tribes adhered to the Confederacy, it suited the interests of the victorious Federal government to assume the position that the measures taken for alliance with the South, even, in some instances, with a closely divided populace were the acts of the legitimate governments of the respective tribes. The North took

the position that because of this alleged tribal adherence to the South the Indians had forfeited all rights of the tribes to the lands previously granted to them. On this premise and backed by the extensive federal authority over matters relating to Indians and territories, the central government, by cajolery, threats and abuse of power, succeeded in inducing the several tribes to cede, for a grossly inadequate price, the western half of the present state of Oklahoma, including Cleveland County. The motive for this act was the policy of the national government to solve the problem of the threat to white settlers posed by the "wild tribes" by placing these Indians on reservations and forcing them to change their mode of living from the chase to the plow. It also was planned to remove as many Indians from other parts of the country where their presence was regarded as an affront to their white neighbors and a threat to the lawful pursuit of gain and resettle them in the newly acquired area. However, by the late 1880s, federal officials had discovered that it had more land than it had Indians to place thereon. As land hungry individuals from the older settled part of the country also discovered this, there followed the agitation for opening the "Unassigned Lands" to homesteading. This culminated with the "Run of '89." Thus, Cleveland County, along with five others, became incorporated into what was referred to as "Old Oklahoma."

By what law was the new area governed? At the start by nothing other than the cooperative, voluntary effort of the settlers. Congress, in opening the "Unassigned Lands," had forgotten completely to provide a government. In scores of communities, across the six counties, the history of the Mayflower Compact was repeated, not on shipboard but upon the beaten prairies and the blackjack hills. The Supreme Court of the United States later held that these were exercises in futility and that the governments thereby created had no legal existence—they were more shadowy than the laws of the Comanches.

However, by the Organic Act of 1890, Congress provided a territorial government, consisting of six counties, to which was joined a seventh, Beaver County, the present Oklahoma Panhandle. The Organic Act provided for appointed executive and judicial departments and an elective bicameral legislature. It also created certain restrictions on what the territorial government should do. In short, it was to the territorial government very much the same as a constitution is to a state government. The legislature, subject to these limitations, was to provide the statutory law for which so many thousands of people had been waiting for over a year.

Obviously, to provide a complete code of statutory law overnight would be completely impossible. The 1890 legislature did what other territorial legislatures had done before it—borrowed. Some Nebraska statutes tem-

porarily were extended to the territory, until the adjournment of the First Territorial Legislature and a few of these seem to have survived. It also borrowed from Dakota Territory, nearly a thousand miles and two states to the north. That code, so adopted, forms an impressive part of our statutory law to this day. However, in respect to procedural law for the courts, and in a few other respects, the Dakota law turned out to be unsatisfactory, and in 1893, the territorial legislature substituted in place of these parts, statutes borrowed from Kansas. As a result, Cleveland County still has a Kansas heritage.

In the meantime, legal changes were impending in the reduced Indian nations. While the constitutions and laws of these tribes varied significantly, in one respect all the Five Civilized Tribes clung to the concept that land was the common property of all and not subject to individual ownership. Each member of a tribe was free to seize upon and improve as much land as he could find not already in the possession or occupance of another tribesman. With a relatively small population in a vast acreage, this worked fairly well, although there were some problems arising out of conflicting claims which were referred to tribal courts. But it had one social effect which brought the destruction of the Indian republics. Indian society tended to develop two elements, the aggressive, enterprising and acquisitive and the gentler, conservative element, content to hold to the old subsistence economy. Predictably, the members of the entrepreneural cast of mind would take up large tracts—more than they could exploit by themselves. Indeed, before removal westward, they had done just this, and had used black slaves to cultivate the plantations and large farms they had carved out. In their new home in the West, they continued this practice, until the Thirteenth Amendment put an end to it. The freedmen, entitled by federal decree to share, though sometimes to a limited extent, in the tribal domain, were disinclined, as a class, to work for their former masters. The latter were equally disinclined to give up their way of life. Consequently, they turned to other states, particularly to the southeast, and to Texas, where the same pressures for land that led to the agitation for the opening up of Oklahoma, produced white persons who were eager to become tenants to Indian landlords. The prejudices naturally developing from slavery based upon ethnic differences disinclined the Indians to invite black tenants. As a consequence, a population of whites developed outnumbering by as much as five to one the Indians, who possessed all political power and a predominance of economic advantage. At the same time, the Indian governments were indisposed to spend money for educating the children of these outlanders or to provide other amenities of life in rural areas. Most likely, with the limited revenues available to their governments, they could not do so. Also there

were difficulties as to jurisdiction of the Indian courts, especially in civil and criminal cases where non-Indians were involved. Congress attempted to correct these differences by passing federal criminal statutes applicable to Indian Territory and by extending the jurisdiction of the federal court at Fort Smith, Arkansas, over the region. When this proved impracticable, a system of federal courts for Indian Territory was created and a large number of the statutory laws of Arkansas were applied in respect to non-Indian residents. Obviously, this state of affairs could not last. As demand for statehood increased, pressure for the allotment of land in severalty to the tribal members also grew.

In parallel fashion, events moved in Oklahoma Territory to impel agitation for statehood. As the reservations proved too large for exclusive Indian use, tract after tract was opened to white settlement after individual Indian allotments were made. In the end, all reservations were abolished, and, once more the spectacle of a non-Indian population that completely out-numbered the Indians was created. The non-Indians were in a somewhat better position than those in Indian Territory as they had a certain amount of local self-government, but there was resentment against the federally appointive element in the system, and recognition that, as a state, more could be accomplished on local initiative.

For a time there was controversy whether there should be one state or two. There was strong sentiment for separate statehood, particularly in Indian Territory, where things went so far that, without congressional authorization, a convention was chosen which drafted a constitution for the proposed State of Sequoyah, which was presented to Congress. However, Congress would have nothing to do with the two-state idea, and instead passed an Enabling Act authorizing the two territories to elect a convention to frame a constitution for a single state to be called Oklahoma. This was done, and Cleveland County ceased to be subject to the laws of the Territory of Oklahoma and became subject to the laws of the State of Oklahoma. In the main, these were the same as those of the former territory as these were stipulated to remain in effect so far as not inconsistent with the Constitution of the State of Oklahoma, until changed by the legislature or by the people.

However, the skill in parliamentary action engendered by the intensively political activities of the Indian nations, coupled with the experience that many of the delegates had gained through participation in the Sequoyah movement, resulted in the capture of commanding position in the organization of the Constitutional Convention by representatives from Indian Territory. In consequence, the Constitution of Oklahoma contains a number of provisions drawn from or modeled after the "Sequoyah Convention." Among these may be mentioned the provisions for the Corporation Com-

mission, the restrictions upon corporate ownership of land and the submission of a separate article on statewide prohibition. In addition, the old attitude toward the sharing of resources found expression in provisions for the support of the public school system. Thus, Cleveland County, while never very effectively subject to the law of the Seminole Nation, has become subject, in part, to concepts drawn from the experience of the Five Civilized Tribes.

Another feature arising from Cleveland County's proximity to Indian Territory may be seen, although it is not as strong now as it has been in past years. Because of the county's location, a large part of the region's initial population came from Indian Territory. Many of the entrepreneural class from the Chickasaw Nation saw the opportunities presented by the development of a new land and took advantage of their closeness to the region. Also, there came many of more modest circumstances, eager to change their status from tenants to freeholders. With these settlers came their ideas. Thus, as custom is part of the law, the county's legal institution, to some extent, has been shaped by its geography.

The laws which governed Cleveland County over the years then are a mixture of many races, ideas and influences. From this historical point of view renewed inspiration for preserving and expanding our liberties may be drawn, but always under the law which reconciles freedom with a just social order.

ORIGINS OF BLACK SLAVERY AMONG THE CHEROKEES

*By R. Halliburton, Jr.**

Regardless of the voluminous literature treating black slavery in America, significant omissions remain. Areas which have not been sufficiently investigated include the ownership of slaves by several tribes of American Indians, including the Cherokees. No documented treatment of black slavery in the Cherokee Nation has ever appeared in print.

Source materials are now scarce, scanty and scattered. Although there are numerous works treating the tribe, a definitive history of the Cherokees is yet to be written. Southern histories, such as the ten volume *History of the South* provide virtually no information on this subject.[1] Also the best work on black history, John Hope Franklin's *From Slavery to Freedom*, is void of material on this topic.[2] In addition Oklahoma history textbooks are silent about black slavery in the Cherokee Nation.

Nevertheless, this paucity of information has not hindered the growth of unsubstantiated generalizations and outright myths. It has often been alleged that the lives of black slaves owned by the Cherokees were considerably easier than those owned by white masters. Moreover, it was frequently reported that the Indians regarded the black as a fellow human being; that the slave enjoyed much more "freedom," and that intermarriage was not uncommon. However, there appears to be little evidence to support such conclusions.

Slavery is as old as recorded history and appears to have been practiced throughout most of the world at one time or another and the Indian tribes of America were no exception. Though the Cherokees practiced slavery, there is no word for "slave" or "Negro" in their language. The closest word for slave is "ah-hu-tsi" which signifies "captive" and was used frequently in reference to Indian prisoners of war and black slaves.[3]

Though European influences modified most of the arts and practices of American Indians, slavery had existed in parts of North America long before

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[1] The publisher, Louisiana State University Press, states that this massive work was "designed to present a balanced history of all the complex aspects of the South's culture from 1607 to the present."

[2] John Hope Franklin, *From Slavery to Freedom: A History of Negro Americans*, (New York: Alfred A. Knopf, 1967).

[3] Larry D. Griffin, "Black Slaves In The Cherokee Nation," unpublished manuscript, Cherokee Nation Collection, John Vaughn Library, Northeastern State College, Tahlequah, Oklahoma.

the arrival of Europeans. One form of slavery had existed for sufficient time among several tribes to become prominent in tribal mythology and modify the habits and institutions of the people. Apparently the slaves were usually prisoners taken in wars with other tribes and there appears to have been a regular commercial traffic in slaves in some areas. In addition, among some Indians, slavery was the basis of considerable wealth. As a result, raiding expeditions were sometimes launched for the express purpose of capturing slaves.

Unfortunately the early Spanish and French historians seem to have used the terms slave and prisoner interchangeably when referring to captives in the possession of various Indian tribes. Although most of the slaves were probably prisoners, not all prisoners were slaves. From the time of their earliest discovery, the Cherokees had been one of the largest and most influential of the aboriginal tribes. Through tribal warfare they had acquired many prisoners whose treatment varied according to age. Newly obtained adult captives were usually handed over to the women for torture or death. While younger prisoners were generally absorbed into families by means of enforced adoption, and later became members of the tribe by an act of council. However, those adults not killed and the children not adopted remained in a form of slavery. It was this same custom of adoption or slavery which was later applied to whites and Negroes.[4]

Nonetheless slavery, as the term is usually understood today, probably did not exist among the Cherokees before the arrival of Europeans. However, Hernando de Soto's expedition in the 1540s recorded that the Cherokees held other Indians who had been captured in war as "slaves."[5] DeSoto's entourage included both West Indian and black slaves and these were probably the first Europeans and blacks the Cherokees had ever seen.[6] The early Cherokees had exhibited no moral bias against slavery and were quick to accept numerous accoutrements of European Civilization—including the institution of black slavery.

It is generally conceded that Negro slavery was introduced chiefly by white traders. Many of whom married Cherokee women, amassed property, purchased slaves and left them as an inheritance to their children. Other traders brought black slaves to the Cherokee Nation and then sold them to tribal members. In addition, during the contest for control of the New World, the English urged the Cherokees to sell them all the blacks which

[4] Almon W. Lauber, *Indian Slavery in Colonial Times Within the Present Limits of the United States* (New York: Logmans, Green and Company, 1913), pp. 49, 63–136, 170.

[5] Henry Thompson Malone, *Cherokees of the Old South* (Athens: University of Georgia Press, 1956), p. 20.

[6] James Mooney, "Myths of the Cherokees," *Nineteenth Annual Report of the Bureau of American Ethnology, 1897–1898* (Washington: Government Printing Office, 1900), p. 25.

they seized from Indians friendly to the French, while the French in turn rewarded the Cherokees handsomely for blacks abducted from English plantations.[7] This allowed the Cherokees three alternatives in the disposition of blacks who came into their possession—they could weigh the reward offered by the English and that promised by the French against retaining the Negroes as slaves.

The Cherokees sometimes became the victims of slavery themselves. In 1693, a tribal delegation lodged an official protest to the Royal Governor of South Carolina, which charged that the Congaree, Esau and Savannah tribes were capturing Cherokees and selling them into bondage.[8] In addition, white farmers were periodically charged with holding Cherokees in slavery during the entire colonial period and, in 1705, the Cherokees accused Governor James Moore of South Carolina of granting "Commissions" to a number of people to"set upon, assault, kill, destroy, and take captive" tribal members who were then "sold into slavery for his and their profit."[9]

Being enslaved themselves allowed some Cherokees to become familiar with plantation agriculture, and upon escaping or being freed by Cherokee-Colonial treaty terms, some took advantage of their new knowledge to become black slave owners. Black slavery was utilized on the collective town farms before individual plantations replaced the communal system; however, the wars and diplomacy conducted by Spain, England and France resulted in a complicated and precarious existence for the Cherokees who were centrally located among the three powers. Periodically, the Cherokees would raid colonial settlements riding Spanish ponies and shooting British pellets from French guns. As a result of these raids they added to their slave holdings through captured or runaway African slaves.[10]

As the white colonization of the country progressed, the Cherokees came into possession of more runaway black slaves from the Virginia and Carolina settlements. Presenting a potentially serious economic problem for the colonists, an attempt was made to rectify the situation by the Treaty of Dover. On May 4, 1730, a delegation of seven Cherokees accompanied by Sir Alexander Cumming, sailed from Charleston, South Carolina, aboard H.M.S. *Fox*. Arriving in London, England, on June 5, they were granted an audience with King George II on June 18, and subsequently consumated a

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[7] Michael Roethler, "Negro Slavery Among The Cherokee Indians 1540–1866," unpublished Doctor of Philosophy dissertation, Fordham University, New York, New York, 1964, p. 26.

[8] Henry Thompson Malone, *Cherokees of the Old South*, p. 20.

[9] Mooney, "Myths of the Cherokees," *Nineteenth Annual Report of the Bureau of American Ethnology, 1897–1898*, p. 32.

[10] Roethler, "Negro Slavery Among the Cherokee Indians 1540–1866," p. 13.

treaty which was "signed" in Whitehall. Among the provisions of the agreement was a section relating to black slaves which stipulated:[11]

> That if any Negroe Slaves shall run away into the woods from their English Masters, the Cherokee Indians shall endeavor to apprehend them, and either bring them back to the Plantation from Whence they run-away, or to the Governor; and for every Negroe so apprehended and brought back, the Indian who brings him shall receive a Gun and a Watch Coat; whereupon we give a box of vermillion, 10,000 Gun Flints, and six dozen of Hatchets.

The treaty terms were approved by the chiefs, but after two days of deliberations they delivered an additional statement about black slaves which noted:[12]

> This small Rope we show you, is all we have to bind our Slaves with, and may be broken, but you have Iron Chains for yours; however, if we catch your Slaves, we shall bind them as well as we can, and deliver them to our friends again, and have no pay for it.

The Cherokees were later to become scrupulous in the fulfillment of all treaty agreements. However, their government at this time was so informal, that it is unlikely that the terms of the Treaty of Dover were strictly obeyed. Nevertheless, Slave Catcher became a common Cherokee name.[13]

Cherokee women had immediately approved of black slavery, because it lightened their traditional tasks of tilling the fields of corn, maize, beans, potatoes, tobacco and pumpkins. Also, Cherokee warriors had always considered agricultural work and farm management degrading and appropriate only for women and now slaves. Absent for extended periods, the warriors used black slaves to compensate for the lack of manpower. The example of white plantation owners in surrounding colonies gradually induced many progressive Cherokees to view the planter as an occupation worthy of honor and refinement.[14] However, the English colonists did not want the Cherokees to adopt black slavery because they were apprehensive of the Indians stealing their slaves. Consequently, they enacted laws which prohibited traders from keeping or taking blacks into the Cherokee Nation; nonetheless, traders frequently circumvented the law by purchasing slaves in the names of their Indian wives or other persons. Though the blacks were

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[11] J. B. Davis, "Slavery in the Cherokee Nation," *The Chronicles of Oklahoma*, Vol. XI, No. 4 (December, 1933), p. 1058.

[12] *Ibid.*

[13] David H. Corkran, *The Cherokee Frontier: Conflict and Survival, 1740–62* (Norman: University of Oklahoma Press, 1962), pp. 26, 28, 170, 175, 188, 257.

[14] Charles K. Whipple, *Relation of the American Board of Commissioners for Foreign Missions to Slavery* (New York: Negro Universities Press, 1969), pp. 84–90.

A typical slave cabin in the Cherokee Nation

normally a great asset, in 1738, they brought smallpox to the Cherokees and the dread disease led to the demise of one-half of their population in one year.

Black slavery among the Cherokees, as in the United States, was an evolutionary process. Antonie Bonnefoy, a Frenchman; three other whites; and a Negro were captured by Cherokees in 1741. Though Bonnefoy and the others all became "slaves," the whites maintained that the Negro occupied an inferior status, because unlike them he had not been adopted into the tribe.[15] Thus, it was apparent that the Cherokees were exhibiting a strong sense of color consciousness by this date, and were buying, selling and using black slaves as part of an accepted institution.

The only serious threat to black slavery among the Cherokees during this early period occured when Christian Gottleib Priber, a European, settled at Tellico in the Cherokee Nation in 1736. Learning the Cherokee language and adopting their customs and dress, Priber cautioned his hosts against trading with a single country and making land concessions to anyone. Ingratiating himself with tribal leaders, he won the confidence of Chief

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[15] Davis, "Slavery in the Cherokee Nation," *The Chronicles of Oklahoma*, Vol. XI, p. 1060.

Moytoy, and persuaded the Cherokee National Council to proclaim Moytoy "Emperor of the Kingdom of Paradise." Afterward Moytoy appointed Priber "Prime Minister" or "His Majesty's Chief Secretary of State." Among other utopian ideals, Priber urged on the Cherokees was that the "Empire" was to be a place where runaway slaves, oppressed people of Europe and Indian tribes could obtain sanctuary and happiness. Cognizant of "the continual flow of runaway slaves finding sanctuary among the Cherokees," Priber proposed to incorporate them into a utopian state, where discrimination would not be tolerated on the basis of race, color, tribal affiliation, title or wealth. However, Priber's grandiose plan ended when he was captured by Creeks in "The Fifth Year of the Empire," sold to Governor James E. Ogelthorpe of Georgia and imprisoned until his death a few years later.[16] The anti-slavery sentiments of Priber had never convinced the Cherokees, and after his capture the utopian ideas quickly died.

Nonetheless, black slaves had become sufficiently valuable that by April, 1758, Little Carpenter or Altacullaculla, Chief of the Cherokees, was willing to exchange two French prisoners of war for two black slaves, which he desired as servants for his wife. However, his offer was refused by South Carolina officials, who cited the statutes prohibiting the giving or selling of slaves to Indians.[17]

At the outbreak of the American Revolutionary War in 1775, many colonists who were loyal to England flocked to the Cherokee Nation from the Southern colonies. Many were slaveowners and some brought their property with them.[18] As a result, the Cherokee lands were invaded in 1776, by an American force commanded by Colonel William Christian in an attempt to rid the United States of the threat presented by Loyalists on the eastern border. Killing or selling the black slaves who fell into their hands, the Americans destroyed several Cherokee towns and thereby provided additional incentive for the Cherokees to establish individual farms.[19] As more and more Indians deserted the villages and began farming on their own, the ancient custom of communalism slowly eroded into individual landholdings.

The Treaty of Hopewell in November, 1785—the first treaty between the

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[16] Ludovick Grant, "Historical Relation of Facts Delivered by Ludovick Grant, Indian Trader, to his Excellency, the Governor of South Carolina," *South Carolina Historical and Genological Magazine*, Vol. X, No. 1 (January, 1909), p. 58.

[17] Corkran, *The Cherokee Frontier: Conflict and Survival, 1740–62*, p. 145.

[18] Whipple, *Relation of the American Board of Commissioners for Foreign Missions to Slavery*, p. 88.

[19] Mooney, "Myths of the Cherokees," *Nineteenth Annual Report of the Bureau of American Ethnology, 1897–1898*, pp. 51, 53.

Cherokee Nation and the United States—directly concerned black slavery. Article I of the agreement stipulated:[20]

> The Head-Men and Warriors of all the Cherokees shall restore all the prisoners, citizens of the United States, or subjects of their allies, to their entire liberty: They shall also restore all the Negroes, and all other property taken during the late war from the citizens, to such person, and at such time and place, as the Commissioners shall appoint.

There were among the Cherokees, as elsewhere, some conflicting thoughts about black slavery. Large slaveowners were usually mixed-bloods, the so-called "white Indians," but some full-bloods also owned slaves. No Cherokee organization actively opposed slavery during its infancy, and no Cherokee abolition societies were ever organized.

It is not known who the first Cherokee slave owner was or even when this occurred; however, Nancy Ward, or Ghi-gu-u-or, was one of the first Cherokee women to own a black slave, when she acquired a Negro as a result of the spoils of war. In a battle with the Muskogees in 1775, her husband—Kingfisher—was killed and she retrieved his weapon and fought as a warrior. When the Muskogees were defeated and the spoils divided among the victors, she received a captured Negro.[21]

During the early colonial period the Cherokees were a semi-nomadic hunting people. However, as they gradually lost more and more of their land they became increasingly sedentary and agrarian. Slowly abandoning the communal cultivation of land, they began to operate their farms on an individual basis. Black slavery both contributed to and made possible such change. So much that by 1790, the institution had spread throughout the Cherokee Nation.[22] Some full-scale Southern-type Cherokee plantations existed in northern Georgia by the end of the eighteenth century.[23] Farming, especially the raising of cotton, developed more rapidly than it would have under native labor.[24] Most of the well-known Cherokees were becoming slaveowners, and such surnames as Ross, Vann, Foreman, Alberty, Scales, Boudinot, Lowrey, Rogers, McNair, Ridge, Downing, Drew, Mar-

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[20] Charles J. Kappler, comp, and ed., *Indian Affairs: Laws and Treaties*, (5 vols., Washington: Government Printing Office, 1904–1941), Vol. II, p. 9.

[21] Davis, "Slavery in the Cherokee Nation," *The Chronicles of Oklahoma*, Vol. XI, p. 1057.

[22] Marion L. Starkey, *The Cherokee Nation* (New York: Alfred A. Knopf, 1946), p. 17; W. R. L. Smith, *The Story of the Cherokees* (Cleveland, Tennessee: Church of God Publishing House, 1928), p. 46.

[23] Starkey, *The Cherokee Nation*, p. 17.

[24] Rachel Carolyn Eaton, *John Ross and the Cherokee Indians* (Menasha, Wisconsin: George Banta Publishing Company, 1914), pp. 20–21.

tin, Nave, Jolly, Hildebrand, Webber, Adair and numerous others continually appeared on slave transactions.

One missionary commented on the increasing use of slaves by saying:[25]

> This institution [black slavery] was derived from the whites. It has all the general characteristics of Negro slavery in the Southern portion of our union. In such a state of society as we find among these Indians, there must of necessity be some modifications of the system; but in all its essential features, it remains unchanged.

A visitor to the Cherokee Nation in 1802, reported that "many of the Cherokees had large plantations worked by gangs of Negro slaves."[26] Ample tillable acreage was available to the prospective planter as land was free to any Cherokee citizen. Though all land was owned by the nation, any citizen could gain exclusive usage of unclaimed acreage if it was not within a quarter-mile of a neighbor's land. In addition, all improvements subsequently made on the land became the personal property of the individual and could be sold or willed to any other citizen. There was no limit of acreage one could claim. If a planter became surrounded by his neighbors and unable to expand contiguously, he could start farming operations at another locale. In 1835, the tremendous increase in farming resulted in 224 Cherokee families operating 2 farms, 77 owning 3; 33 possessing 4; 17 operating 5; 8 owning 6; 1 possessing 7; 1 operating 9 and 1 family owning a grand total of 13 farms.[27]

Ridge or Kah-nung-da-cla-geb, later known as Major Ridge, is usually acknowledged to have been the first Cherokee plantation owner. Sometime before 1800, he began to clear land and build a house in the Oothcaloga Valley of the Cherokee Nation. The fullblood Indian warrior and his bride, forsaking the tradition of their people, began chopping, ploughing, knitting and weaving in the way of the white man. In addition, Ridge increased his number of black slaves "to do the harder work about the premises."[28]

Ridge's plantation house, known as "Chieftains," was built on a stone foundation that measured twenty-nine by fifty-four feet. The walls were constructed of hand hewn logs stripped of bark and flattened on two sides.

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[25] Whipple, *Relation of the American Board of Commissioners for Foreign Missions to Slavery*, p. 88.

[26] F. A. Michaux, "Travels to the West of the Allegheny Mountains in the State of Ohio, Kentucky, and Tennessee," in Ruben Gold Thwaites, ed., *Early Western Travels* (32 vols., Cleveland: Arthur H. Clark Company, 1904–1907), Vol. XVIII, p. 28.

[27] James Mooney, *The Cherokee Ball Play* (Washington: Judd and Detweiler Printers, 1890), p. 107.

[28] Thurman Wilkins, *Cherokee Tragedy: The Story of the Ridge Family and the Decimation of a People* (New York: The Macmillan Company, 1970), p. 30.

Deeply notched at each end to fit closely and pegged together to prevent shifting, the logs were then covered with sawed lumber. Two stories tall, the house had verandas in front and back and a brick fireplace at each end. There were eight rooms with thirty glass windows set in walnut casings. The ceilings, walls and floors were all hardwood.[29] Two kitchens of hewed logs stood close to the back door, and nearby was a smokehouse for the family's meat supply. Two stables, one with a loft and both with watering troughs and feeding racks for the horses were constructed nearby and there were various sheds and cribs, including a lumber house. Some distance away from the main house, cabins for the Negro slaves were built.[30]

Growing rapidly, Ridge's plantation eventually encompassed 8 fields containing nearly 300 acres. The principal crop was corn, but cotton, tobacco, wheat, oats, indigo, sweet and Irish potatoes were also cultivated. There was a vineyard, a nursery and a garden which contained a large variety of ornamental shrubs as well as vegetables. In addition milk, butter and meat was provided by large numbers of hogs and cattle which grazed nearby. As the scope of his plantation increased, so did his need for manpower, and by the early 1820s Ridge had accumulated thirty black slaves to work on his growing plantation.[31]

John Ridge, Major Ridge's son, was sent to the mission school at Cornwall, Connecticut, where he married Sarah Bird Northrup, the daughter of a prominent local family. Following their marriage, John Ridge took his young bride to "Chieftains" where they lived for a short time. Eventually settling six miles away, he built a large two story house on a high hill, which measured nineteen by fifty-one feet on the first floor and twenty by thirty-one feet on the second story. Containing a spacious front porch and six fireplaces, the house had twenty-four glass windows for light and ventilation. In addition, John Ridge owned 19 slaves who cultivated 7 fields containing 419 acres of farmland.[32]

James Vann, who operated a trading post near Spring Place in the Cherokee Nation, was another early Cherokee slave owner. Owning the finest plantation house in the Cherokee Nation—a two story red brick mansion with fireplaces at each end and "elegant porticoes" at the front and rear—Vann operated his vast holding with black slaves.[33] He also enjoyed the

[29] *Ibid.*, p. 181; Roger Aycock, "Historic 'Chieftains,'" *State Mutual Anchor*, Vol. XXXV, No. 3 (Third Quarter, 1971), pp. 1–17.

[30] Wilkins, *Cherokee Tragedy: The Story of the Ridge Family and the Decimation of a People*, p. 182.

[31] *Ibid.*, pp. 182–83.

[32] *Ibid.*, p. 184.

[33] Clemens de Baillow, "The Chief Vann House at Spring Place, Georgia," *Early Georgia*, Vol. II, No. 2 (Spring, 1957), pp. 3–11.

The home of a former slave family in the Cherokee Nation in the post-Civil War era

luxury of two Cherokee wives and was extremely fond of strong drink. Maintaining his own still, he kept "gargantuan supplies of brandy and whiskey and dealt drinks like a lord to his followers," but, "drunk or sober, he ruled his slaves with a rod of iron." Shooting one whom he discovered plotting against his life, Vann caught another who had robbed him and burned him at the stake.[34]

John Ross, the Principal Chief of the Cherokees, was also a slaveholder and owned, in addition to a fine two-story home near the head of the Coosa River, several black slaves who waited upon him and his full blood wife, Quata.[35] Ross himself operated a "supply depot and warehouse" at Ross's Landing, which later became Chattanooga, Tennessee, while his large farm between Poplar Springs and the Tennessee River was cultivated by slaves.[36]

In 1811, the population of the Cherokee Nation was reported to be 12,395, exclusive of 341 whites living within the country and 583 black slaves.[37] As the practice of slavery increased, the Reverend Cyrus Kingsbury

[34] Ralph Henry Gabriel, *Elias Boudinot Cherokee and His America* (Norman: University of Oklahoma Press, 1941), pp. 24–29.

[35] *Ibid.*, pp. 60, 134–35.

[36] *Ibid.*

[37] *Christian Observer* (London, England), November, 1811, p. 723.

of Brainerd Mission in Tennessee, recorded an entry in his journal on April 23, 1818, which stated:[38]

> At Springplace, Reverend [David S.] Butrick observed many black people in bondage to the Cherokees, and they all speak English. Their masters, so far as come to our knowledge, are willing to have them instructed, and are generally very indulgent to giving them time to attend [religious] meetings.

Odd as it may seem, slaveholders were among the earliest converts, staunchest supporters and closest friends of the missionaries and the church. This relationship continued throughout the era of black slavery, and in turn the missionaries usually selected sermons which actually condoned slavery. Often they quoted portions of the Bible which encouraged slaves to obey their masters, and many sermons carried the same message:[39]

> Bid slaves to be submissive to their masters and give satisfaction in every respect; they are not to be refractory, nor to pilfer, but to show entire and true fidelity, so that in everything they may adorn the doctrine of God our Savior.
>
> Let all who are under the yoke of slavery regard their masters as worthy of all honor, so that the name of God and the teaching may not be defamed. Those who have believing masters must not be disrespectful on the ground that they are brethren; rather they must serve all the better since those who benefit by their service are believers and beloved.
>
> Servants be obedient to those who are your masters, with fear and trembling, in singleness of heart, as to Christ; not in the way of eyeservice, as menpleasers, but as servants [or slaves] of Christ, doing the will of God from the heart, rendering service with a good will as to the Lord and not to men, knowing that whatever good any one does, he will receive the same again from the Lord, whether he is a slave or free.
>
> Slaves, obey in everything those who are your earthly masters, not with eyeservice, as menpleasers, but in singleness of heart, fearing the Lord. Whatever your task, work heartily, as serving the Lord and not men, knowing that from the Lord you will receive the inheritance as your reward; you are serving the Lord Christ.
>
> Servants, be submissive to your masters with all respect, not only to the kind and gentle but also to the overbearing. For one is approved if, mindful of God, he endures pain while suffering unjustly. For what credit is it, if

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[38] Robert Sparks Walker, *Torchlight to the Cherokees* (New York: The Macmillan Company, 1931), pp. 86–87.

[39] *The Holy Bible*, "Titus," 2:9–10; "First Timothy," 6:1–5; "Ephesians," 6:5–8; "Colossians," 3:22–24; and "First Peter," 2:17–20.

> when you do wrong and are beaten for it you take it patiently? But if when you do right and suffer for it you take it patiently, you have God's approval.

With such messages included within the sermons, it is easily understood why owners were "indulgent" in giving their slaves time to attend religious services. Moreover, some slaves attended church to instantly interpret for their masters who did not speak English.

By 1820, the political, social and cultural leadership of the Cherokee Nation was gravitating toward the mixed-bloods, who were developing a legal code to regulate taxes, internal improvements, payment of debts, the liquor traffic, marriage, voting, crime and black slavery.[40] The advent of slavery had been accompanied by unique problems concerning the conduct and legal status of slaves. This condition was partially alleviated by the enactment of a series of laws or "Black Codes." The first of these acts was apparently passed in 1819, as the result of a runaway black trading a stolen horse to a Cherokee. The act declared that:[41]

> The National Committee have taken up the case submitted to them by the Council relating to the exchange of horses between Otter Lifter and a runaway negro man, belonging to Wm. Thompson. The horse delivered to Otter Lifter by said negro man was proven away from him, and the question submitted to the Committee was, whether or not, the master of the negro man, Wm. Thompson, should be accountable to the Otter Lifter for the horse so proved away from him on account of the transgression of his said negro man; the Committee therefore have decided that Wm. Thompson ought not to be accountable for the contract entered into with his runaway negro man by any person contrary to his approbation, and, *Resolved by the Committee*, that no contract or bargain entered into with any slave or slaves, without the approbation of their masters shall be binding on them.

Subsequently, the Cherokee National Committee and Council passed the following acts in 1820:[42]

> That any person or persons whatsoever, who shall trade with any negro slave without permission from the proper owner of such slaves, and the property so traded for be proven to have been stolen, the purchaser shall be held and bound to the legal proprietor for the same, or the value there of; and be it further
>
> *Resolved*, That any person who shall permit their negro or negroes to purchase spirituous liquors and vend the same, the master or owner of such negro or negroes shall forfeit and pay a fine of fifteen dollars for every such

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[40] Rachel Carolyn Eaton, *John Ross and the Cherokee Indians*, p. 35.

[41] Cherokee Nation, *Laws Of The Cherokee Nation: Adopted by the Council at Various Periods* (Tahlequah, Cherokee Nation: Cherokee Advocate Office, 1852), pp. 8–9.

[42] *Ibid.*, pp. 24–25.

> offense, to be collected by the Marshalls within their respective Districts for the National use; and should any negro be found vending spirituous liquors without permission from their respective owners, such negro or negroes, so offending, shall receive fifteen cobbs or paddles for every such offence, from the hands of the patrolers of the settlement or neighborhood in which the offence was committed, and every settlement or neighborhood shall be privileged to organize a patroling company.

It was doubtful that many masters would admit that their slave was bootlegging with their approval when it would mean the confiscation of the liquor, the slave and a $15.00 fine. If the master pleaded ignorance of the bootlegging slave's activity, he would only suffer loss of the liquor and the slave could take the beating. The closing clause of the act was permissive legislation for the organizing of patrols to regulate the activity of slaves.

During the 1820s, the Cherokees continued to abandon village life and establish individual farming units. This brought a concurrent increase in the number of black slaves. Though the mass of the people lived in cabins, some of which were constructed of hewn logs, plank floored and with chimneys, the more affluent Cherokee slaveholders built comfortable two-story brick and frame houses—some of which were even pretentious—and lived in much the same style as white planters of the same economic standing in the Southern states. Cotton was raised in sufficient quantities to fully supply the Cherokees' own needs and leave a considerable surplus to be shipped on boats to New Orleans, Louisiana. This trade supplied sufficient quantities of currency into the hands of the Indians.[43]

The increased numbers of black slaves in the Cherokee Nation resulting from the developing plantation system brought about a rash of legislation to control the increased number of blacks. Miscegenation and intermarriage between Cherokees and Negroes had been repugnant from their earliest contacts. The first known marriage of a Cherokee to a Negro was that of Chief Shoe Boot, who after his white wife had left him, married her black servant, Lucy, who was his property. Two children resulted from the marriage and Shoe Boot petitioned the Cherokee Council for their free status. The request was granted, but the council warned Chief Shoe Boot that interracial marriages between Cherokees and blacks were not socially acceptable, and made its position unequivocally clear with the passage of an act which stated:[44]

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[43] Eaton, *John Ross and the Cherokee Indians*, p. 34–52.

[44] Mooney, "Myths of the Cherokees," *Nineteenth Annual Report of the Bureau of American Ethnology, 1897–1898*, p. 1421; Cherokee Nation, *Laws of the Cherokee Nation: Adopted by the Council at Various Periods*, p. 38.

> That intermarriages between negro slaves and Indians, or whites, shall not be lawful, and any person or persons permitting and approbating his, her or their negro slaves, to intermarry with Indians or whites, he, she or they, so offending, shall pay a fine of fifty dollars, one half for the benefit of the Cherokee Nation: and
>
> *Be it further resolved*, That any male Indian or white man marrying a negro woman slave, he or they shall be punished with fifty-nine stripes on the bare back, and any Indian or white woman, marrying a negro man slave, shall be punished with twenty-five stripes on her or their bare back.

Legislation against miscegenation demonstrates the actual position of blacks. The Cherokees were adamant in their determination not to become racially identified with a subject people which they regarded—as did their white neighbors—as their servants and inferior. Some miscegenation did occur—just as it did in the white South—but a Cherokee Negro was always regarded as a Negro.[45]

Thus, as slavery increased among the white population of the southern states, it also grew in popularity among the Cherokees who associated the ownership of slaves with social prominence. As the number of black slaves among the Cherokees increased, the Indians, just as their white neighbors, enacted severe "Black Codes" to govern the growing number of slaves. These laws followed the same basic format as the white slave codes and severely infringed on the rights of the slaves. As a result, slavery in the Cherokee Nation was little different from the surrounding slave holding areas with no increased freedoms under their Cherokee masters.

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[45] Chapman J. Milling, *Red Carolinans* (Chapel Hill: University of North Carolina Press, 1940), pp. 341, 359.

☆ NOTES AND DOCUMENTS

MEMORIALS TO DECEASED MEMBERS OKLAHOMA HISTORICAL SOCIETY

Burrell S. Nunaly was born in Indian Territory in what is now McAlester, Oklahoma, on December 31, 1896. A career army man, Nunaly retired, after thirty years in his country's service, a captain, and at his death early this year, was buried at Fort Gibson, Oklahoma. He was a member of both the American Legion and the Oklahoma Historical Society. Living the last years of his life in Oklahoma City at 733 Northeast Fifteenth, he is survived by his wife.

HOW TO GET A HOMESTEAD

An entryman must be the head of a family, or twenty-one years old, and must either be a citizen of the United States or have declared his intention to become such. A person under twenty-one years of age, but who is the head of a family, can enter lands. A widow who holds her deceased husband's claim may make entry in her own right. Service in the army or navy of the United States in the recent rebellion for a period of ninety days entitles an honorably discharged soldier or sailor to make a homestead entry without regard to age or citizenship. Where the soldier is dead, his widow or his minor heirs can have all the benefits of the law. A married woman who

is the head of a family, or who has been deserted by her husband, is also qualified to enter government land as a homesteader.

Be sure that your homestead rights have not been previously exhausted. If a person owns 160 acres of land anywhere else he can not acquire another homestead.

Homestead claims may attach in either of two ways—by settlement or by first entering at land office. Between two persons, one of whom settled upon and the other entered the same tract, the rule is, first in time is first in right. The safest plan is to settle on your tract first and make the entry afterward. A homesteader has three months from date of settlement in which to enter, and his rights and equities date back to the settlement. He has six months from date of entry to establish residence, and settlement must be maintained after entry as well as before.

To make an entry, application must be made at proper office, accompanied by affidavits, and the usual fees paid of $14 for 160 acres, $7 for eighty acres and $6 for forty acres. The final proof fees are $4.

Substantial and visible improvements must be made immediately upon taking the land, and the settler should have competent witnesses to such acts. The witnesses should be requested to make such memorandum of the events as will clearly fix the day and the hour, in case there is a contest. The settler's rights attach to the instant he goes upon the land and drives a stake, or blazes a tree, or throws one spade of earth, or hoists a flag, or does anything, however small, if he follows that act immediately with others of greater importance, with improvements of a more substantial nature, and within a reasonable time erects a habitable house and cultivates the soil. Take no chances. Make the improvements so tangible and evident that there need be no doubt as to occupancy.

The law requires, specifically, that in addition to the intent of appropriating land there must be some act indicative of the intent, and the two must harmonize. Neither alone is sufficient. Settlement can not be made by agent. Improvements avail nothing in absence of personal presence. Actual notice by word of mouth is sometimes as good as notice given by improvements. The mere erection of a board, with statement of claim, is not construed as an act of settlement, where party does nothing else and returns home.

Entry should be made within not later than three months—sooner if possible. It is the entry that gives the right, and the sooner entry is made the less opportunity there is for vexatious contests.

Actual residence must follow within a reasonable time. One who goes upon public land for the purpose of staying just long enough to get title by a compliance with the letter and not the spirit of the law, and then goes back to his family at some other place, where they have remained all the time,

does not establish the required residence. Visits to the property to keep up the fiction of occupancy do not count. Residence, in other words, must be in the utmost good faith, as shown by acts of claimant. The old home must be wholly abandoned. Settlers are cautioned not to leave their claims without first attempting to secure a leave of absence, by application in writing to the local land office, accompanied by sufficient facts and sworn to by two witnesses.

The land must be resided upon, cultivated, and improved for a period of not less than five years, though settlers may delay making final proof for seven years. Before patent is issued the price asked by the government will have to be paid. The usual price is $1.25.

The land office entry fee is $5 for 80 acres or less, and $10 for over 80 acres, with a commission of 2½ cents per acre. The final proof fees are about $4, with a commission of 2½ cents per acre.

Guthrie, Oklahoma Territory, *Oklahoma Illustrated*, 1894

WASHINGTON IRVING'S "OLD RYAN"

*By Dahlia Terrell**

"Old Ryan" in Washington Irving's *A Tour on the Prairies* was John Ryan who had migrated from Alabama in 1829, and settled on Horsehead Creek in Arkansas Territory. Three years later he joined Captain Jesse Bean's rangers and Irving for a short excursion across present-day Oklahoma. In 1892, his daughter, Irene Ryan Lewis, recalled the historic journey which had taken place sixty years earlier, and her son John Ryan Lewis recorded her words:

> In the fall of 1832 my father and my brother Wm[.] Ryan joined a company of rangers being raised by Capt. Bean to make a scout, out over the western prairies for [the] purpose of protecting a commissioner sent by [the] U.S. Government for the purpose [of] pacifying the Indians and prevent[ing] their war[r]ing among them-selves.
>
> Washington Irving who accompanied the commissioner wrote a fine description of the scout under the title "a tour on the prairies" in which he refers to father as "Old Ryan" the hunter or "Uncle John."

* The author is an Associate Professor English at Texas Tech University in Lubbock, Texas, and wishes to acknowledge his indebtedness to the late Q. B. Lewis for permission to use and to quote from the manuscript stored in family files.

Irene Lewis' recollections clarify for the first time which of the two Ryans on the list of Bean's rangers in the files of the National Archives in Washington, D.C., was the son and which was the father—the only one Irving mentioned in his narrative. She was mistaken in believing that Irving alluded to her father as "Uncle John," but the epithet "Old Ryan"—Bean's term for John Ryan which Irving adopted—was the one Irving used in making the frontiersman a minor hero as the meat provider and infallible scout through several chapters of *A Tour on the Prairies*.[1]

John Ryan's life on the frontier, in Virginia, Kentucky and Alabama, had prepared him well for the brief trip with the rangers. As he provided for thirteen children, he had been accustomed to the hard life of a huntsman, and he knew life on the open prairie. It must have been his experience and his reputation as huntsman and scout that caused Bean to recruit him as a ranger, even though he was beyond the age limit of "under forty" that had been set in the act of Congress of June 15, 1832, authorizing the raising of a battalion to serve on the frontier. In addition, his descendants think he probably was related through his wife, Molly Holt, to an influential member of Bean's rangers, the surgeon, Doctor David Holt, who served with Commissioner Henry Leavitt Ellsworth, Bean, Irving and several others on the decision-making council. At any rate, Ryan's maturity and experience qualified him to be one of the "sages" in *A Tour on the Prairies*, or an advisor to those in charge; instead Irving drew "a real Leatherstocking," as he called him, in a shadowy sketch which exemplified the distance between the aristocratic author and the actual frontiersman.

Soon after the rangers returned from the short expedition in November, 1832, John Ryan became ill, from what his daughter believed to be "excessive exposure." The following spring he died before he could return home and was buried at Fort Gibson in the Cherokee Nation.

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[1] Two other accounts of the 1832, journey, less well known than Irving's also allude to Ryan: Charles Joseph Latrobe, *The Rambler in North America*, Vol. I (2 vols., New York: Harper and Brothers, 1835); and Henry Leavitt Ellsworth's letter to his wife published in S. T. Williams and Barbara D. Simison, eds., *Washington Irving on the Prairie* (New York: American Book Company, 1937).

BOOKNOTE

A major historical resource for the study of United States-Indian relations is now available. *The Indian Removals*, is a recently reissued government document with a new foreword by Brantley Blue, a new introduction by John M. Carroll and five illustrations added by Paul Rossi. Originally issued as *Document 512* of the United States Senate, 23rd Congress, 1st Session, these five volumes contain correspondence on the subject of the emigration of Indians between November 30, 1831 and December 27, 1833. As the removal of the Indians is one of the least known aspects of United States history, these volumes represent a timely review of an American phenomenon the legality and efficacy of which are still debated.

MURIEL H. WRIGHT HERITAGE ENDOWMENT NOMINATIONS

Any member of the Oklahoma Historical Society wishing to nominate an article for the first annual Muriel H. Wright Heritage Endowment should send their selection to the Publication Department, Oklahoma Historical Society, 2100 North Lincoln, Oklahoma City, Oklahoma, 73105. All nominations will be screened by the Publication Committee of the Board of Directors who will make the final decision. The award will be presented to the author whose contribution to *The Chronicles of Oklahoma*, best typifies the standards of excellence which Dr. Wright established during her years as editor of the journal. Only articles appearing in the Spring, Summer, Fall and Winter issues of Volume LII may be considered and all nominations must be received by this office no later than February 1, 1975.

GENEALOGY OF ONE BRANCH OF THE DESCENDANTS OF ROBERT FINNEY OF LONDONDERRY, IRELAND. By William Francis Finney. (Oklahoma City: Privately printed, 1973. Pp. 88. Illustrations. Portraits. Partial index.)

This pleasantly written informal family history deals with the ancestry and the descendants of John Edgar Finney, farmer and stockman, who settled in Fort Cobb, Oklahoma in 1908.

Beginning with Robert Finney (born in Londonderry in 1668) who emigrated from Ireland to Chester County, Pennsylvania, in 1720, ten generations are shown against the background of their time and place. The Finneys were lawyers and jurists and in colonial days were prominent citizens of New Castle, Delaware. With their kinsmen, including Thomas McKean, a signer of the Declaration of Independence, they were staunch Whigs throughout the Revolutionary period. Like many other patriots who accepted the Continental currency, their personal fortunes were seriously damaged in the post-war period. This was a factor in prompting David Thompson Finney (1773–1862) to move first to Pennsylvania in 1806 and then to Coshocton (now Holmes) County, Ohio in 1811. There the family remained until Thomas Corwin Finney, grandfather of the author, came to the Kansas frontier in 1870.

While not a scholarly work, a variety of primary sources were used in establishing the earlier generations, and sufficient documentation is given to guide anyone wishing to make an in-depth study of the family. The book, handsomely printed, contains many ancestral portraits and pictures and line-drawings of the houses and areas where the family resided. This coupled with the use of delightful and warmly human family letters and reminiscences leaves the reader with the feeling that he has personally known all of the people in this interesting account.

Mary Lee Ervin
Oklahoma City, Oklahoma

THE OZARKS. By Richard Rhodes and the Editors of Time-Life Books. (New York: Time-Life Books, 1974. Pp. 184. Photographs. Map. Bibliography, and Index.)

Snoozing on the porch of his ramshakle cabin, a jug of moonshine nearby, the Ozark mountaineer is a familiar image of American folklore. Behind the Ozark's reputation for backwoods hicks, however, is a region of remarkable beauty, a wilderness intact in the middle of a continent. Stretching from eastern Oklahoma through northern Arkansas and southern Missouri, the Ozark highlands embrace 55,000 square miles of hills covered with forests of ash, maple, hickory and pine.

In a volume of the Time-Life American Wilderness Series, Richard Rhodes has drawn a pleasant portrait of the region. A native of Kansas City, Missouri, and free-lance author, he bases much of the book on his own travels and observations. His study of the region is similar to that of the early explorer-journalist, Henry Rowe Schoolcraft, who rode horseback and hiked through the Ozarks in 1818 and 1819.

Instead of the maligned mountaineer, Rhodes' heroes are caverns, springs and rivers, with their accompanying plant and animal life. The Ozarks are honeycombed with thousands of caves, some containing huge vaulted "rooms" like the spectacular Blanchard Springs Caverns. These caves were formed over long periods of time by the chemical action of slightly acid water on the porous limestone and dolomite, dissolving the rock and creating fantastic cave formations known as speleothems. Ozark springs seem even more miraculous; the rock itself gushes forth water—crystalline and cold. Big Spring near Van Buren, Missouri, the largest of the region's springs, delivers at peak flow an estimated one billion gallons a day. The most famous Ozark river, the Buffalo, is one of the last undammed "float streams" of the United States. It begins in northwestern Arkansas and wanders 148 miles past bluffs as high as 500 feet. The Ozarks are full of incongruities. Plants and animals native to other sections of North America have a way of showing up in some Ozark stream or cavern, comfortable in their biological niche.

Beginning with the Osage Indians, these hills have so far resisted the uses of mankind. They have at last recovered from the loggers of the early twentieth century. Today national forests protect some 2,500,000 acres of the Ozarks, and federal legislation keeps the Corps of Engineers away from some of the best of the rivers. With luck, the Ozarks will also withstand the recent attacks of herbicides and tourists.

This is more than a coffee table book, though it would make a good one. The author has crammed it with solid information. The choice of photographs (115 in all) is excellent, and they usually appear close to the

appropriate text. Let's hope that the Ozark wilderness can survive a little good publicity.

Donald Holley
University of Arkansas at Monticello

THE AMERICAN WEST: AN INTERPRETIVE HISTORY. By Robert V. Hine. (Boston: Little, Brown and Company, 1973. Pp. x, 330. Illustrations. Maps. Bibliography. Index. $12.50.)

The past two decades have witnessed an outpouring of textbooks on the history of the American West, most of which follow an all too familiar pattern. Professor Hine's latest work, *The American West*, differs from the majority of Western history texts in two important respects; it effectively demolishes a number of Western myths which have been given credence for too long, and it is interpretive throughout. Although Hine's highly selective history emphasizes the Trans-Mississippi West during the latter half of the nineteenth century, it also covers ground often neglected by historians. The book benefits greatly from Hine's more than passing familiarity with the subject matter of related disciplines—psychology, sociology and anthropology in particular—and from his long specialization in intellectual history. Chapters on religion, art, education and the community are outstanding. In addition, *The American West* is an attractively printed book, which complements nicely the author's considerable literary talents. Little space is wasted on familiar events well-known to Western history buffs and to scholars. Instead, Hine concentrates on the panoramic sweep of events and the deeper significance he discerns therein.

It is especially lamentable, then, that this potentially outstanding book is so seriously flawed. Taken as a whole, *The American West* lacks the cohesiveness the author obviously tried but failed to give it. Like many other Western historians before him, he has isolated and compartmentalized instead of relating the various facets of the Western experience. Also, numerous errors are scattered throughout the book—errors that might have been corrected by careful proof reading. For example, Hine misdates the establishment of the Texas Rangers (p. 84); moves Senator Justin S. Morrill's constituency from Vermont to Minnesota (p. 246); reduces the number of sections in a township to six (p. 61); nearly doubles the distance between the Nueces River and the Rio Grande (p. 98); and creates mountains in East Texas (p. 80).

But what troubles this reviewer far more than careless factual errors, is that a major historian has allowed himself to fall into the trap of present-

mindedness. There is no justification for castigating people of an earlier day simply because they fail to measure up to the standards and ideals of our own time. Surely by now everyone knows and deplores that minorities have been grossly mistreated, that we have raped our natural resources, that the West was exploited by eastern business, that law enforcement officers sometimes overstepped their limits in a most outrageous way and that this nation expanded at the expense of our neighbors and the original inhabitants. Self-flagellation serves no useful purpose. One wonders why Professor Hine feels compelled to catalog, again and again, the failings of Westerners—at least Westerners who are not red or brown or black. In the process he loses his sense of balance and does a distinct disservice to his book and to the cause of good historical writing.

Herbert H. Lang
Texas A&M University

A HISTORICAL STUDY OF THE COLLAPSE OF INDIAN CONSTITUTIONS. By Denmei Ueda. (Tokyo: Nihon-Hyoron-Sha Company with subsidy from the Educational Ministry of the Japanese Government, 1974. Pp. ii, 245. Bibliography. 2500 yen.)

The author, a young professor of constitutional law in Shizuoka University, Japan, brings to his people in their language a scholarly account of how tribal governments operated in the Oklahoma region and finally were terminated. For the Far East, this is a pioneer work that casts light on the federal Indian policy, and on development of Indian Territory and Oklahoma.

The trend of events among the Five Civilized Tribes is presented by a case study of the Cherokees. Their tribal government is traced as it operated in Georgia, and finally in Indian Territory and Oklahoma. Note is taken of the congressional act of 1962, empowering the Principal Chief, with approval of the Secretary of the Interior, to "advance and expend" certain tribal funds. Traced are changes, including the work of an eminent committee appointed by Principal Chief W. W. Keeler in 1971 to revise the Cherokee constitution.

To show the trend of tribal government among Plains Indians, the author chose to examine carefully that of the Kiowas.

In Nagoya University, Japan, the author became interested in the history of tribal governments in Oklahoma. After extensive study of the best sources recommended by the Oklahoma Historical Society, he came to Oklahoma in 1968–1969 and pursued vigorously the investigation. Some use was made of archival sources, but primarily the book is a brilliant summary of studies made by the most distinguished American scholars of the subject. Book titles are in English. The format is splendid, the printing excellent.

In Oklahoma the author found warm friendship with Indians and whites. At Langston he helped dedicate a marker on the Indian Meridian. On the ranch of M. C. Rouse, he was made an Oklahoma cowboy. Governor Dewey Bartlett issued him an "Okie" Certificate. A full diary was kept and, after another visit to Oklahoma on a research mission, the author will publish it. An English translation could be a most interesting contribution to Oklahoma literature. In the meantime the exchange of professorships with universities of the Far East becomes more probable.

Berlin B. Chapman
Oklahoma State University

SOUTHERN INDIANS IN THE AMERICAN REVOLUTION. By James H. O'Donnell, III. (Knoxville: The University of Tennessee Press, 1973. Pp. xii, 171. Maps. Bibliography. Index. $8.50.)

Professor O'Donnell's book fills a void which has long existed in the history of the Civilized Tribes. Its scope is limited to the activities of the Cherokees, Creeks, Choctaws and Chickasaws during the years 1775–1783. Greatest emphasis is placed on the Cherokees and Creeks, who most actively participated in the Revolutionary War.

O'Donnell presents the material chronologically. His method is to juxtapose the Indian policy of the British and Americans. He demonstrates the breakdown of the initial British policy of friendship with the goal of limited involvement of the Indians and the American policy of friendship with the goal of neutrality of the Indians. The result was the Cherokee war of 1776, which broke the power of that tribe and made them reluctant to follow the British during the remainder of the War of Independence.

There were extensive negotiations with the Indians during the next three years, the Indians doing much talking and little fighting. In 1780, however, the British managed to enlist the aid of the Southern Indians, but military reverses in the South during the next year caused British influence to decline. Finally, withdrawal of the British from Charleston, South Carolina, in 1782 caused the Cherokees and Chickasaws to seek peace with the Americans and the Choctaws to waver. The Creeks remained loyal to the British. When the war ended, the Americans were to make costly demands of all of the tribes.

In telling this story, O'Donnell presents a less than flattering picture of the southern Indians during the Revolutionary War period. By the beginning of the war, they had already grown dependent on trade goods and in their negotiations with the British and the Americans, they generally followed

those who could deliver the most goods or make the best offer. O'Donnell also admirably demonstrates the emergence of an Indian policy which was to dominate American Indian relations during the next century—the demand for Indian land as reparations for Indian depredations on the whites. Finally, he shows how Indian policies were shaped by the personalities of the agents involved, such as the patriot George Galphin and the British John Stuart and David Taitt. The faults of the book may lie in the tendency at times to lose sight of the Indians and concentrate on the political and personal conflicts among the agents.

Generally, however, O'Donnell is to be congratulated on producing a most readable narrative, which should be taken up by anyone who presumes to study the history of the Indian tribes of the southeastern United States.

Daniel F. Littlefield, Jr.
Little Rock, Arkansas

EMISSARIES TO A REVOLUTION: WOODROW WILSON'S EXECUTIVE AGENTS IN MEXICO. By Larry D. Hill. (Baton Rouge: Louisiana State University Press, 1973. Pp. 394. Photographs. Footnotes. Bibliography. Index. $12.95.)

Revolution spread throughout Mexico as insurgents rose in rebellion against the conservative dictator, Porfirio Diaz. In the wake of Diaz's downfall, several leaders emerged to influence the course of the rebellion. Soon these individuals were fighting amongst themselves, thus causing an extremely chaotic state in Mexico. Francisco Madero, Venustiano Carranza, Victoriano Huerta, Alvaro Obregón, Francisco Villa and Emiliano Zapata were among the primary characters in the continued chaos in Mexico during the Mexican Revolution.

During the era between 1913 and 1915, much turmoil took place throughout the world—especially in Mexico. When President Woodrow Wilson took office in March, 1913, he was faced with directing the policies of the United States toward its southern neighbor. Numerous studies, published and unpublished, have been conducted to better understand the relationship between Mexico and the United States during this era. However, few works, if any, have concentrated exclusively on the special agents who worked in Mexico under the auspices of the government of the United States. The volume under review attempts to correct this wrong.

Blood, sickness and death accompanied the Mexican Revolution. And it was during this significant time that Wilson dispatched eleven special

agents to Mexico so that they might influence the direction of the revolution along lines that pleased both the economic and political leaders of America and policies of the United States. Certainly, the use of special agents was not new to American history. Indeed, as Professor Hill points out, "George Washington set the precedent in designating Gouverneur Morris as his 'private agent' to carry on secret negotiations with agents of the king of Great Britain."

Yet, even though it was common for presidents to use special agents, financed through a secret contingent fund, few presidents used them to the extent of Wilson. Reginaldo Del Valle, William Bayard Hale and Duval West were three agents sent to Mexico on fact-finding missions. These men were responsible directly to the president even though their reports were routed through the Department of State. Other agents were dispatched to conduct diplomatic negotiations with revolutionary leaders or with that faction governing from Mexico City at that particular moment. Paul Fuller and John Lind served the White House not only as fact-finders but as diplomatic agents as well. State Department agents included John W. Belt, Leon J. Canove, George Carothers and John R. Silliman. Another character in this impressive list of secret agents included David Lawrence who acted independently and unofficially for Wilson.

This study chronicles the day-to-day activities and diplomacy of the special agents from the time of Wilson's inauguration to the time that he accorded *de facto* recognition to President Venustiano Carranza on October 19, 1915. The author argues that often the agents acted individually and not as a liaison with one another. They sent a bulk of information to the president to aid him in his decisions regarding Mexico; however, much of the information was contradictory which helps understand why Wilson's policies were erratic. Some agents, the author argues, became too involved with the revolution and the leaders, thus causing problems in decision making by the White House. Finally, he maintains that the overthrow of Huerta and the ascendency of Carranza—both fostered by the United States —was of benefit to the Mexicans as well as the Americans.

Not all of the material surveyed in the study is new to students of twentieth century Latin American history. Yet, that is not to say that the volume is without significance, for the author has laboriously assembled an in-depth study of the men who usually play minor roles in other narratives about the Mexican Revolution. But in fact the parts they played in Mexican-American relations during the Mexican Revolution was great. Thanks to Professor Hill and Louisiana State University Press, their importance can be better understood and studied by scholars interested in the history of the United States and Mexico. The volume is a welcomed addition to the pub-

lished works on modern Mexican history as well as the diplomatic history of the United States.

Cliff Trafzer
Arizona Historical Society

THE NAVAJO INDIANS AND FEDERAL INDIAN POLICY, 1900–1935. By Lawrence C. Kelly. (Tucson: The University of Arizona, 1968. Second printing, 1970. Pp. x, 221, Tables. Maps. Bibliography. Index. $7.50.)

That the American Indian has long fascinated students of American history in part explains the periodic revivals of interest in the subject, especially in this decade. As Lawrence Kelly observes, in the course of each generation "the American Red Man has been 'discovered' by his white countrymen and his plight displayed before the public." Yet, even with this flood of new interest, usually on the standard subjects, such as Indian wars, missionary activity or Indian removal, few scholars have attempted to deal with the modern American Indian, aside from some notable ethnological studies, and even fewer have coped with the awesome thicket of federal Indian policy in the present century. It is especially fitting, too, that Kelly has chosen the Navajo as the representative tribe for a study on Indian-government relationships and policies, as this tribe is the largest tribe in the country and one of the most dynamic and talented of native groups. While generally successful in resisting of Anglo-American encroachments, in terms of protecting their land from various schemes and withstanding assaults on their culture, the price for this success has produced strains and fissures within their culture as they have proceeded through this transitory stage in their history.

The first chapter contains brief historical and ethnological sketches of the Diné, or The People, as the Navajos call themselves. After that, Kelly provides a detailed look at Navajo reservation expansion before 1922, concentrating on the Dawes Severalty Act of 1887 and subsequent Executive Orders, which either enlarged or abridged the reservation. With this background, the author then broadly traces federal policy from 1900 to 1935, because this period, especially after 1913, is the crucial period for modern Navajo history. For this pivotal time he closely examines in separate chapters federal policy with the Navajo in regards to mineral and oil legislation; range management; political legislation affecting the tribe; reservation expansion after 1922; the New Deal; the emergence of the Tribal Council; and policy towards education, health and Indian voting. Each of these broad subjects cover salient aspects of Navajo-government relationships and

Kelly's extended treatment provides insight into how the Navajo have adjusted to modern American society. Many of the government's actions caused serious conflict between traditional values and economic reality and frequently threatened to disrupt tribal unity. Related to that problem was a continuous threat to the Navajos' land by outside self-interest groups.

The strength of Kelly's study is displayed in these chapters, reflecting his exhaustive use of federal documents and such pertinent special collections as the Hugh L. Scott Papers and the Dietrich-Hagerman Collection. By extensively using these materials he has reconstructed an absorbing story about the multitudinous schemes to acquire or exploit the Navajos' land. Such acts as the Metalliferous Minerals Leasing Act of 1918 and the General Leasing Act of 1920, proposed or supported by such people as senators Carl Hayden and Henry F. Ashurst of Arizona and Albert B. Fall of New Mexico, caused a great deal of anguish for the Navajo. Ashurst and Fall again played an important role in the successful fight for the Lee's Ferry Bridge, which could not help the Navajo but was desired by the National Park Service and Grand Canyon concessionaires, and it was to be partly accomplished by $100,000 of tribal allocated funds.

The activities of Ashurst, Fall, Hayden and long-time Indian Commissioner, Charles H. Burke, are viewed unfavorably, especially in contrast to the policies of their successors, Commissioner John Collier and Secretary of the Interior Harold Ickes. Yet, the author correctly observes that the Collier reforms brought the Navajo no more additional land than they had obtained with previous Republican administrations. The New Deal, in fact, Kelly notes, was "not so much a new response to an old problem as it was the liberation of forces and ideas which had been building up since the end of World War I." Some may dispute the assertation that Collier frequently allowed his zeal for reform to cloud his judgement, but even with that slight disclaimer, Kelly has produced a reasonably objective, impartial account.

Professor Kelly has in this work presented a straight-forward, singularly objective work, with very little to criticize. It is a faultlessly researched, well-documented study. The writing style may be viewed by a few as being tedious but that is as much the result of the material as it is the author's fault, and it is outweighed by the importance of the significant contribution he has made to the study of American Indian policy.

Michael J. Warner
Museum of New Mexico

HELD CAPTIVE BY INDIANS: SELECTED NARRATIVES, 1642-1836. Edited by Richard VanDerBeets. (Knoxville: University of Tennessee Press, 1973. Pp. xxxii, 374. Introduction. Illustrations. Maps. Bibliography. Index. $12.95.)

The story of captives held by Indians is one of the most intriguing yet tragic aspects of the long struggle between red and white men for possession of the North American continent. The native Americans took captives to use as slaves, to hold for ransom, to sell and to replenish the tribe. Among the eighteen narratives included in this book are those of Father Isaac Joques (1642); Mary Rowlandson (1676); Robert Eastburn (1756); Charles Johnston (1790); and Rachel Plummer (1836). One of the captives was a black man, John Marrant (1770). Captor tribes involved were Mohawks, Hurons, Maliseets, Cherokees, Comanches and others. Some of the accounts provide the only data known about the life and culture of the captors. Although captives were subjected to cruel treatment, there were instances of kindnesses extended by individual Indians.

Apparently a major objective of the editor, a specialist in early American literature, has been to show how the narratives were "shaped and differentiated largely by the society for which the narratives were intended." Those of the seventeenth century were religious documents heavily weighed with comments regarding the salutary spiritual effects of captivity. Those of the early and middle eighteenth century were vehicles to arouse hatred of the Indian and his French master. Revolutionary War narratives were directed against the British and subsequent accounts were written largely for commercial reasons. Early accounts were fairly straightforward while later ones were more sensationalized.

Although Professor VanDerBeets has produced a readable book with some interesting observations, it is not without shortcomings. One occasionally yearns for more footnote explanation and the introductions to several individual narratives are barely sufficient for proper orientation. The narratives, all of which have been published previously, focus almost entirely upon eastern captives in the seventeenth and eighteenth centuries. As the author rather than the editor of a book on captives, Van DerBeets could have examined more narratives, perhaps using supportive excerpts, and covered more adequately both eastern and western captivities. Perhaps one of the main contributions of this book is to remind us of the need for a general scholarly study of Indian captivities.

Lonnie J. White
Memphis State University

THE AMERICAN HERITAGE BOOK OF GREAT HISTORIC PLACES. Richard M. Ketchum, Editor. (New York: American Heritage Publishing Company, Inc., 1973. Pp. vii, 288. Illustrations. Maps. Index. $16.50.)

As we approach the bicentennial celebration of America's independence and reexamine the ideals and actions that gave this nation an auspicious beginning, the editors of *American Heritage*, the hard-cover bimonthly magazine of American history, have prepared a pictorial documentary of America with emphasis on those places where history was made—a visual panorama of historic treasures that can be seen in our country today.

Through the pages of *Great Historic Places* the reader will tour vicariously nine geographic sections, each richly illustrated with a number of superb reproductions of eyewitness paintings and rare photographs, as well as drawings, engravings and sketches gleaned from private collections and museums throughout the country.

From colonial "New England" with its maritime heritage of architects, shipbuilders, carpenters and masons who had a near-religious feeling for their craft, the itinerary of this timely new edition graphically spans the Great Smokies wilderness, reminiscent of the primeval forest as seen by the first white men to venture beyond the Appalachians; then westward to "The Farthest Frontier" where the eyes of America were opened to the wonders of the West by early explorers. Moreover, the book does not ignore those places which portray America's fascinating prehistory—silent remains which document the presence of a people who inhabited this continent thousands of years before Europeans knew of its existence.

The handsomely illustrated volume is both a refreshing approach to history and a guidebook to the most visible evidence of our heritage. More than 470 pictures—126 of them in full color—put you at the scene where significant historical events took place. Some 100,000 words of narrative relate the story of our national past, and point out the most appropriate places to visit in order to gain a fuller appreciation and deeper understanding of the people and events that came together to create the history that is our heritage.

Because of the unique character of *Great Historic Places* and the quality of its reproductions, it is exceptional; because of the book's evident importance as a source of information for anyone interested in Americana, it is invaluable.

Janet Campbell
Oklahoma City

DICTIONARY OF WEAPONS AND MILITARY TERMS. By John Quick. (New York: McGraw-Hill Book Company, 1973, Pp. xii, 515, 1200 Illustrations. Bibliography. Foreword. Alphabetically Indexed. $25.00.)

As a collector and lifetime student of military history I find this book a gold mine of information on 500 years of weapons the world over. Technically speaking I believe Dr. Quick should have designated his work an encyclopedia rather than a dictionary, but whatever you may call it, do not miss it if you are in any way interested in or would better understand the jargon of the military world. It takes a proper education in military terms just to read and understand the news of the day.

Whatever your level of interest you will be fascinated by the definitions and details in such areas as:

Acronyms and alphabet soup; ABC-M7A2, M1A1, RESCAP.
Folksy Slang; Daisy Cutter, Desert Rats, Ruptured Duck.
Ships' Classes and Names; Admiral Graf Spee, Ethan Allen.
Fighting Names; Airacobra, Dingo, Voodoo, and Vulcan.

Every service is well covered, and definitions have been, no doubt, painstakingly researched, but I still found a few mistakes which should have been obvious to any member of "The Company Of Military Historians" as is Dr. Quick.

Examples of such missed definitions include:

Page 201 Grand Army Of The Republic—Another name for the Union forces of the Civil War. (Actually Grand Army Of The Republic—G.A.R.—was a Union veterans organization formed several years after the Civil War by ex-Union officers.)

Page 307 Minie' rifled musket—A four grooved muzzle loading rifle adopted by the British in 1851. (This definition is correct as far as it goes but ignores the United States Springfield developed Minie' rifle which was the principal infantry weapon of both Union and Confederate forces in the American Civil War. These American made rifles were actually called Minie rifles while the British versions were called Enfields.)

Page 372 Revolver—A .44 caliber Remington Model 1872 (illustration) Unfortunately the revolver used in the illustration is not a Remington cartridge Model 1872, but a Colt Model 1860 Army percussion—Cap and Ball—used by Federal forces in the Civil War.

In spite of a few lapses, no other book on the market today offers such all inclusive coverage and detail. Collectors and veterans will spend many pleasant hours browsing through this verbal and pictorial museum. Historians, writers, model builders and students of military affairs will find the

Dictionary Of Weapons And Military Terms an essential and long needed reference.

Jordan B. Reaves
Oklahoma City

INDIAN AMERICANS: UNITY AND DIVERSITY. By Murray L. Wax. (Englewood Cliffs: Prentice-Hall, Inc., 1971. Pp. xix, 236. Tables, Appendices, Bibliography, and Index. $2.95.)

Indian Americans is part of the Ethnic Groups in American Life Series published by Prentice-Hall. The main purpose of the series is "to provide the American public with a descriptive and analytic overview of its ethnic heritage in the third quarter of the twentieth century from the viewpoint of relevant social science." Murray Wax has fulfilled this purpose quite adequately in this sociolological and historical account of American Indians. His main goal is to present the contemporary status and problems of Indians in order to help whites better understand the "Indian Problem" and, more importantly, to assist Indians to a better life style.

Wax divides his study into three parts. Part one, Historical Developments and Comparative Relationships, contains a good analysis and overview of initial contacts between Indians and whites. Moreover, Wax dispels several myths about Indian culture. For instance, Indian societies were not static but rather fluid, and several tribes did not resist cultural changes but rather welcomed them.

In part two, Contemporary United States Tribal Communities, Wax focuses on information gleaned from case studies on Plains Indian reservations and the Oklahoma Cherokee. On these reservations there was a lack of economic opportunities and as a result, only the young, old, and sick generally remained while others had a tendency to migrate. In the case of the Cherokee in Oklahoma, Wax discusses their educational opportunities and concludes that Indian students aspire to participate in American society but are thwarted by the cultural barrier and misunderstandings between them and their teachers.

The third part, Indians and The Greater Society, contains material on Pan-Indian movements, Indians in urban areas, and the interplay between Indian identity, ideology and the "Indian Problem." His discussion of Pan-Indian movements is limited to native religion movements, and as a consequence, he treats Pan-Indian protests too lightly. Furthermore, Wax could have expanded his study on urban Indians to include other major cities where they reside.

Wax has written an extremely well done account of the plight of the American Indians. His knowledge and synthesis of the historical background is to be commended. Moreover, his discussion of federal programs and their subsequent failures reveals that there is a great deal yet to accomplish. To Wax, there is no "Indian Problem" but rather "a set of diverse problems involving the interrelationships of Indians and non-Indians in a broad ecological and institutional context," and these patterns of interaction must be comprehended if concrete and purposeful policies are to be implemented.

Indian Americans is modestly priced and contains helpful appendices and suggested readings lists. It would be equally at home on the bookshelf of the Indian buff as well as the Indian scholar.

Raymond Wilson
University of New Mexico

THE TRAILBLAZERS. Text by Bil Gilbert. (New York: Time-Life Books, 1973. Pp. 236. Illustrations. Maps. Bibliography. Index.)

When a person first embarks into a period of history he generally seeks a book which can paint a broad picture of that particular era. *The Trailblazers* captures, in an energetic manner, the vibrant era of the trans-Mississippi exploration, which took most of the nineteenth century. It would be an impossible feat to include every exciting event that occurred during the lives of the trailblazers, but the stories which are included in this volume produce an atmosphere that evokes a picture in the reader's mind representative of the wild domain which attracted the trailblazers.

The United States purchased the Louisiana Territory in 1803 from France, and was faced with the responsibility of charting the territory and opening the frontier to the public. Thus, the story of the trailblazers opens with the expedition of Meriwether Lewis and William Clark. Their trek along the Missouri River was highly successful in light of the information they gathered. During their 7,689 mile trip through uncharted wilds, Lewis and Clark identified and recorded some 200 previously unknown botanical specimens and 122 species and subspecies of animals that had been unknown up to that time.

Spurred on by the promise of a rich fur trade, rugged mountain men entered the Rocky Mountain area. Among the first was John Colter who had been among the members of the Lewis and Clark expedition. Courageous and independent, his story is a remarkable tale of pioneering and danger. Colter's name ranks high in the list of memorable mountain men,

whose stories are also told, such as Jim Bridger, Jim Beckwourth, Jedediah Smith and Joe Walker. Other notable trappers mentioned are Kit Carson, the Sublette brothers, Hugh Glass and Albert Boone. Men like Joe Walker and Jedediah Smith went beyond the fur trapping area and blazed new paths into the Great Basin and farther into California, which were destined to become highways to the west.

Besides the rugged mountain men and the hardy explorer of the West's geography, there was another group of explorers who wished to preserve "the wonders of the wilderness." This group was made up of artists like Karl Bodmer and George Catlin, as well as scientists such as Thomas Nuttall—the father of Western botany.

With the expansionist movement of the 1840s there came a need to encourage and aid the people who wished to travel west. Politicians espoused the doctrine of Manifest Destiny while officers in the army, such as John Charles Fremont, envisioned a stage upon which glory and fame could be won. Fremont's story is especially interesting and leaves one with the question of how he lived so long and traveled so far.

The work begun by Lewis and Clark was concluded by the "Great Surveys" which traversed the trans-Mississippi lands from one end to the other. Led by Ferdinand Vandiver Hayden, Clarence King, John Wesley Powell and George Wheeler, the "Great Surveys" were made up of scientists, cartographers and photographers.

Anyone wishing to read an informative, exciting account of a century's worth of trailblazers will not be disappointed with this new volume of the Time-Life Books. Bil Gilbert has done an excellent job of canvassing a mountain of material and producing a fascinating and beautifully illustrated adventure for the reader.

Geary L. Walke
Oklahoma City University

THE COWMAN SAYS IT SALTY. By Ramon F. Adams. (Tucson: the University of Arizona Press, 1971. Pp. xv, 163. Illustrations. $5.95.)

The Cowman Says it Salty is a collection of sayings, terms, expressions and phrases used by the early-day cowboy to express his life and those things around him. This book by Adams represents an attempt to pool the best and largest number of his collected sayings into one work. It is his goal to "preserve them for posterity."

As Mr. Adams has been collecting these sayings for eighty years, it is evident that he has a vast store of knowledge on the origins and reasons for peculiar language of the cattleman. After reading the book, one is left wanting to know more about the background of how and why the cowboy came to create the speech he used.

Adams begins his book with a few short chapters on the traits of the cowboy "lingo," how he came by the odd hobby of collecting that language, and how the cowboy came to use it. From this beginning there is an endless stream of "sayings" on every page which Adams fixes into the text as any ordinary phrase or sentence might be used.

Although Adams' book contains eleven sections which deal with the many varied ways cowboys might express one general idea or statement, one-third of the book deals just with typical cowboy expressions. This is the biggest problem in Adams' book—he has not put enough related subject matter into the text to increase the depth of the study.

There are a few faults and shortcomings in *The Cowman Says it Salty*. The picture Mr. Adams paints of the cowboy is a very romantic one, but the cowboy's life was a little less enjoyable than what the author would have the reader believe. Many of his examples of cowboy life were the exception rather than the rule. Adams seems to have more fond memories than factual recollections.

Mr. Adams' second biggest problem seems to be repetition. In his first three chapters, the author completely covers all he intends to cover on the "whys and how's of the cowboy speech" and from that point on he covers only examples of his collected sayings. Though many of these examples are very humorous and witty, after awhile they do tend to become a little dry.

If it were Mr. Adams primary intention to "preserve" his sayings "for posterity," then he has done so and has done it with excellent style and a very good format. His book is of significance and should not be dismissed as just another cowboy book. It is very easily read and understood. The general reader or the serious student will find *The Cowman Says it Salty* both enjoyable reading and humorously entertaining.

Larry D. Duke
Canadian, Oklahoma

MINUTES OF THE QUARTERLY MEETING OF THE BOARD OF DIRECTORS OF THE OKLAHOMA HISTORICAL SOCIETY

July 25, 1974

The July Quarterly Meeting of the Board of Directors of the Oklahoma Historical Society was called to order by President George H. Shirk at 10:00 a.m. on July 25, 1974, in the Board Room of the Historical Building. Directors present were Mrs. George L. Bowman, Q. B. Boydstun, O. B. Campbell, Harry L. Deupree, M.D., W. D. Finney, Dr. LeRoy H. Fischer, Bob Foresman, Mrs. John Frizzell, E. Moses Frye, Nolen J. Fuqua, W. E. McIntosh, Fisher Muldrow, H. Milt Phillips, Earl Boyd Pierce, Jordan B. Reaves, Miss Genevieve Seger, H. Merle Woods and Jack Wettengel, Executive Director. Those Directors who had asked to be excused were Lou S. Allard, Henry B. Bass, Joe W. Curtis, Denzil D. Garrison, Dr. A. M. Gibson, John E. Kirkpatrick and Dr. James Morrison. Miss Seger moved to excuse the absent members. Mrs. Bowman seconded the motion and it was carried.

Mr. Shirk introduced two guests: Mr. Donald L. Coffin, State Preservation Officer, and Colonel Martin A. Hagerstrand, Executive Vice-President of the Cherokee National Historical Society.

Mr. Shirk asked for the report of the Executive Director who announced that seventy-three people had applied for membership in the Society, including Mr. Willis Storm for life membership. Mr. Muldrow moved to accept the applicants for membership and Mr. Pierce seconded the motion, which passed. Mr. Muldrow advised the Directors that Mr. Storm was a 1917 graduate of the University of Oklahoma. Mr. Storm's wife is of the Ream family, and it was noted that the town of Vinita was named for Vinnie Ream, sculptress.

Mrs. Bowman presented the treasurer's report for the fourth quarter of fiscal year 1973–1974 and the report of the life membership endowment trust funds. The Board of Trustees of the Endowment Fund met July 9, 1974, and reviewed the trust funds and have petitioned the Board to forgive the amount due on July 1. Mr. Frye moved to approve the request of the Trustees; the motion was seconded by Mr. Muldrow and carried. Discussion followed concerning the use of the bequest of deceased Board Member Morton R. Harrison to the Executive Committee members as trustees. The amount specified in the will is to be available in one or two years.

Mr. Phillips in his report of the work of the Microfilm Division stated that more than 3,600,000 pages of newspapers are now on microfilm in the Newspaper Library. The cost of microfilming has risen, but the cost has been accepted with understanding by the small newspapers throughout the state.

Mr. Wettengel gave the Historic Sites report. The division has been preparing reports for individual state legislators of the status of sites in their areas, reports to be submitted before the August 27 elections.

Mr. Douglas D. Scott will join the staff August 15 as archaeologist and curator at Fort Towson, according to Mr. Wettengel. Mr. Scott will also supervise work at Doaksville and Rose Hill. Mr. James Phelan, formerly of the Museum staff, will become the curator of the Chisholm Trail Museum in Waurika. Mr. Don Higgins is the new curator at the Murray-Lindsay Mansion, and efforts are being made to select a curator for the Sequoyah site.

Mr. Wettengel said that work on Phase I of the Old Central restoration project at Oklahoma State University is virtually completed. Phase II, restoration of the interior, is still in need of funding, as it was omitted from the appropriation bill fiscal year 1974–1975. It is hoped that $50,000 will be appropriated during the next session of the legislature.

Under the direction of Dr. Haskell Pruett, renovation is under way of the Old Greer County Museum in Mangum. The Triangle Heritage Association will develop an oil and historical museum at Cleveland at the Kerr-McGee refinery. Mr. McIntosh asked Mr. Wettengel to prepare a report of this project and that of the Chisholm Trail Museum and the Butler property for the next Board meeting. Mr. Wettengel was advised of an earlier proposal adopted unanimously by the Board that the Board be advised prior to the acquisition of any site.

Mr. Shirk as chairman of the Publications Committee, advised the Board that the committee is still seeking funds for a hardback publication of *Mark of Heritage*, a descriptive hardback of historical sites throughout the state.

The Union Room is without a sponsoring group such as that for the Confederate Room, according to Dr. Fischer. However, plans are going forward to dedicate the room on Veterans Day, November 11, 1974. Dr. Fischer in his Museum Committee report also announced that a storage vault would be installed in the Museum.

Dr. Fischer moved that the Museum Committee policy statement as outlined by the Committee be approved; Mr. Campbell seconded the motion and it carried. A disposal policy had also been approved by the Museum Committee and this, with a list of proposed disposals, was presented to the

Board for approval. Mr. Frye recommended that the policy and the disposal list be approved; Mr. McIntosh seconded, and the motion carried.

Mr. Reaves repeated an opinion of the Attorney General that items cannot be given to the State of Oklahoma with stipulations regarding their use. Owners will be notified when items are approved for disposal, and if necessary the museum staff will return them to the owners.

The Honey Springs Battlefield Commission was called to a meeting on July 17, at the request of interested legislators, said Mr. Boydstun, chairman of the commission. The legislators had expressed their desire that the commission take immediate action in acquiring as much land in the park site as appropriated money would permit. The commission plans to get updated ownership of tracts included in the park area, then they will proceed to try to acquire the needed land. A unanimous decision was made by the commission to employ someone to contact owners to complete this acquisition. Mr. Pierce, a member of the commission, reported that there is a bottleneck in the acquisition proceedings and said that Mr. McIntosh was the only one who could effectively break it. Mr. Pierce moved that the Board approve the employment of Mr. McIntosh to do special service in the acquiring of land for Honey Springs, entirely independent of his duties as a member of the Board of Directors of the Oklahoma Historical Society. Dr. Deupree seconded the moton, which passed.

At this time, Mr. Pierce commended the efforts of Mrs. Manon T. B. Atkins, photograph librarian for the Society, in securing copies of a collection of documents of interest to the Cherokee Nation. He expressly asked that his appreciation of her work be noted.

The work of the Education Division of the Society is divided into two parts: The work done in the Historical Building in Oklahoma City, and the work done in out-reach to the state. Locally, programs have been developed for visiting schools—the renovation of the auditorium will enable the Education Division to implement even more effective programs. In his Education report, however, Mr. Foresman spoke of the difficulties in carrying on a statewide program from Oklahoma City. One staff member cannot handle the work required in maintaining both programs. History teachers in state schools are often also the athletic directors and the demands on them leave no time for developing local history clubs. Miss Seger added that *The Chronicles of Oklahoma* are not always correctly preserved in many schools. This publication could be so helpful in bringing the heritage of the state to its young people.

Mr. Wettengel and Dr. Kenny Franks, Editor, were asked to update the mailing list of addresses of state schools. Mr. Campbell suggested that *The Chronicles* should be mailed to state publishers. Mr. Phillips said that

perhaps Mr. Bruce Joseph, Education Division chairman, should attend state school administrative meetings to encourage an interest in state history, and also said he would contact Mr. Ben Blackstock of the Oklahoma Press Association to promote this interest in state newspapers.

Mrs. Frizzell presented a very descriptive account of the creation of the commemorative flag carried by Col. William R. Pogue in his Skylab IV flight. A limited number of replicas of the original silkscreen flag are available for sale.

Mr. Shirk advised the Board that the original of the Choctaw Treaty of Dancing Rabbit Creek, signed by President John Tyler, owned by the Oklahoma Historical Society has been placed in the vaults of The First National Bank and Trust Company of Oklahoma City.

Brief mention was made of State Question 505, to be put before the voters on August 27, and its possible effect on the Board of Directors of the Society. This question has to do with reorganization of the executive branch of state government.

Announcement was made of the gift to the Society of the bedroom suite once owned by Empress Carlotta of Mexico by Mr. David D. Price in memory of his wife, Bernice Price. This furniture has been placed in the Governor's Mansion as a part of the Oklahoma Historical Society collection in the mansion. The contract between the Society and the State Board of Affairs requires that the collection be inventoried annually.

Mr. Wettengel was asked to give a summary of his conference with the attorney general regarding the Oklahoma Historical Society's compliance with Sections 3 and 9, Title 53, of the Oklahoma statutes. Section 3 has to do with the matter of the correct accounting of expenditures of all money and the requirement that a detailed statement of such expenditures be made to the Governor each year. Section 9 requires that the Board of Directors of the Society report to the Governor each year a detailed statement of all donations, receipts and expenditures.

In the opinion of Mr. Michael Cauthron, Assistant Attorney General, the Oklahoma Historical Society has been making such reports to the Budget Office and these reports constitute compliance with the requirements of Sections 3 and 9, Title 53.

Mr. Frye moved to accept this opinion; Mr. Pierce seconded and the motion was passed.

A letter of resignation from Mrs. Mildred Frizzell was read by President Shirk. Increasing family responsibilities have made it difficult to serve, although she offered to assist the Board whenever possible. Mrs. Frizzell asked the Board to consider electing Miss Muriel H. Wright, former editor of *The Chronicles of Oklahoma*, to fill the vacancy left by her resignation. She

indicated Miss Wright would be honored to accept the appointment. Mr. McIntosh moved to accept with reluctance the resignation of Mrs. Frizzell, one of the Board's most dedicated members, and one whose absence will be felt by all the directors. Mr. Phillips seconded the motion, which carried.

Mr. Phillips then requested the honor of nominating Muriel H. Wright to membership on the Board of Directors of the Oklahoma Historical Society. Mr. Muldrow requested the honor to second the nomination, and all agreed to elect her to the Board by acclamation.

Mr. Donald Coffin was invited to speak as the new State Preservation Officer. He said that Governor David Hall had asked him to come to the meeting to get acquainted with the Board members and to ask the Board's cooperation and help. He also pledged his assistance to the Board and other groups.

He spoke of the preparation of the revised edition of Volume III of the State Preservation Plan and of the progress of Volume I and II of this plan. Mr. Coffin then asked for help in conducting a county by county survey of the state for the purpose of finding hitherto unrecognized sites or buildings of historic significance. Discussion followed regarding the Society's financial obligation regarding projects not included in appropriations to the Society by the legislature. Mr. Shirk questioned the need or wisdom for an additional statewide survey, as the Society has done extensive work of this kind for many years. Mr. Hagerstrand was asked for his comments. He called the Board's attention to President Richard Nixon's recent veto of a bill providing federal matching money for historical restorations. Mr. Hagerstrand said that another bill with this provision would have to go back to the Congress.

Mr. Shirk also asked Mr. Wettengel to investigate a legal way in which Mr. Kent Ruth, Field Deputy and Coordinator, could be retained as a consultant, fifty percent of whose salary would be paid by the Oklahoma Historical Society and fifty percent by federal matching funds.

In compliance with Dr. Muriel H. Wright's request, Miss Seger moved that she be elected as Director Emeritus of the Society. Mr. Muldrow seconded the motion, which carried. This election then leaves a vacancy of one active position on the Board.

There being no further business, the meeting was adjourned.

GEORGE H. SHIRK,
President

JACK WETTENGEL,
Executive Director

GIFT LIST FOR SECOND QUARTER, 1974.

LIBRARY:

Union County Cemeteries 1710–1914 and Roster of Confederate and Revolutionary Soldiers. Compiled and Edited by Clara Laney and North Carolina Historical Survey, 1958.
Donor: Mrs. John Witherspoon Ervin, Oklahoma City, Oklahoma, in memory of Ms. Clara Laney.

Groves Manufacturing Company (luggage/leather goods) Ledger Book containing towns in Oklahoma records ca 1920.
Donor: St. Joseph, Missouri, Historical Society by George H. Shirk.

The Beginning of Medical Organization in Oklahoma, 1889–1893 by R. Palmer Howard, MD and Rose C. Gideon, MD. A reprint from *The Journal of the Oklahoma State Medical Association*, Vol. 67, No. 2 (February, 1974), pp. 45–54.

Eight sheets of maps relative to Oklahoma residents 1910 and 1920 who were born outside the United States in Germany, Ireland, Czechoslovakia, Italy, Austria-Hungary, Russia and England.
Donor: Dr. Douglas Hale, Oklahoma State University, Stillwater, Oklahoma.

A 360-Year History of One Neville Family 1612–1972 by Joseph B. Neville.
Donor: Author, Elmdale, Kansas.

Flowing Gold by Mrs. Lena DeFrieze, Oklahoma City, 1926. (Xeroxed copy of an original edition.)
Clipping re original publication and author's family from *Daily Advance*, Lynchburg, Virginia by Lib Wiley, February 18, 1974.
Donor: Ms. Lib Wiley, Lynchburg, Virginia by George H. Shirk, Oklahoma City, Oklahoma.

Oklahoma Geography by John W. Morris, 1961.
The Southwestern United States by John W. Morris, 1970.
Donor: Author, Professor of Geography, University of Oklahoma, Norman, Oklahoma.

1965 Razorback—The Associated Students of the University of Arkansas, Fayetteville, Arkansas.
Oklahoma City Air Materiel Directorate of Maintenance Tinker Air Force Base. 1962—20th Anniversary.
Fall Books, 1955 University of Oklahoma Press.
Veterans' Reemployment Rights Question and Answer Handbook, October, 1950.
Hearings Before the Special Subcommittee of the Committee on Veterans' Affairs, House of Representatives 84th Congress, 1st Session on Proposals to Merge Certain Activities in California, Arizona and Oklahoma.
Laws Relating to Veterans, Vol. I, September 1914–November 1941, compiled by Elmer A. Lewis.
National Genealogical Society Quarterly, Vol. 59, Nos. 3, 4, September–December 1971; Vol. 60, No. 1, March 1972; *Index* Vols. 58 and 59.

Memories of Civilian Conservation Corps—Album, 1937, Company 885, Gillette, Wyoming.
South Oklahoma City Telephone Directory for 1972 and 1973.
Beacon, October 1961.
The Genie, Vols. 5, 6, & 7.
Donor: Mrs. Lenora Bishop, Oklahoma City, Oklahoma.

Collection St. Luke's Methodist Church Literature, Oklahoma City.
Union County, Kentucky—Morganfield, Sturgis, Waverly and Uniontown—*Telephone Directory*, March, 1974.
Athens, Tennessee—Charleston, Decatur, Etowah, Englewood, Niota, Riceville—*Telephone Directory, June 1973.*
Donor: Mrs. Lucile Laws, Oklahoma City, Oklahoma.

The Legacy of Peter Henry Dierks 1824–1972 by F. McD. (Don) Dierks, Jr., 1972.
Donor: Peter Dierks Joers, Hot Springs, Arkansas.

The Emergency Relief Administration Program in Oklahoma—April 1 to December 31, 1934, compiled and edited by the Department of Public Relations, Knight P. Douglas, Director and Paul W. Partridge, Assistant Director.
Donor: Mrs. Sadie Maude Douglas Thompson and Paul W. Partridge, Dallas, Texas, in Memory of Knight P. Douglas.

The Photographic History of the Civil War, Francis T. Miller, editor-in-chief, 1911. One complete set of ten volumes.
Donor: Estate of S. C. Boswell by Dennis C. Parker, Ada, Oklahoma.

Those S. O. B.s at Tarryall by Fred Huston, 1974.
Donor: Author, Oklahoma City, Oklahoma.

Santa Fe, OK!—Fun, Fact and Fancy—A History of Santa Fe, Stephens County, Oklahoma by Flodelle Hooton Gates (Mrs. Denzil Gates), 1974.
Donor: Author, Midwest City, Oklahoma.

The Huguenot, 1957–1959.
Donor: In Memory of the late Olen Delaney, January 11, 1974, Oklahoma City, Oklahoma.

The Huguenot, 1957–1959.
Donor: In Memory of Mrs. Lewis L. Snow, Woodward, Oklahoma.

"To Brother George of Brooklyn, from his Brother John Sterritt of Ocean Park, California, January 28, 1912."
Donor: Mrs. Otis S. Duran, McAlester for Mrs. James G. Mitchell of McAlester, Oklahoma.

Religious booklets for Childrens' Sunday School.
Newspaper Clippings.
Donor: Mrs. Georgia Drury, Waukegan, Illinois.

Third Biennial Report of the Bank Commissioner of the State of Oklahoma, December 15, 1912.
Fourth Biennial Report of the Bank Commissioner of the State of Oklahoma, December 31, 1914.

Sixth Biennial Report of the Bank Commissioner of the State of Oklahoma, December 31, 1918.
Donor: Spencer Miller, Oklahoma City, Oklahoma.

Zapata and the Mexican Revolution by John Womac, Jr., 1968.
Donor: Agnes S. Womac and John Womac, Sr., Noble, Oklahoma.

Indiana Authors and Their Books 1917–1966. Compiled by Donald E. Thompson, 1974.
Donor: Wabash College, Crawfordsville, Indiana.

Maps: Indian Territory (not dated) before September 8, 1876; after July 27, 1866.
Indian Territory 1883.
Indian Territory 1887.
Indian Territory 1891.
Large copies of originals for easy use and handling.
Donor: Chester Davis and Oklahoma Highway Department, Oklahoma City, Oklahoma.

Guide to Manuscripts and Archives in the West Virginia Collection by James W. Hess, 1974.
Donor: Dr. B. B. Chapman, Orlando, Florida.

Nay-Thah-Way-Nah—An Indian Boy and Other Lore by Florence Drake, 1974.
Donor: Mrs. Reuben W. Keller, Shawnee, Oklahoma.

Styles Bridges—A Register of His Papers In the New England College Library by James J. Kieper, editor, Bridges Papers, 1972.
Donor: Editor (New England College) at Henniker, New Hampshire.

Genealogy of One Branch of the Descendants of Robert Finney of Londonderry, Ireland, by Whitham D. Finney and William F. Finney, 1973.
Donor: W. F. Finney, Oklahoma City and W. D. Finney, Fort Cobb, Oklahoma.

Xeroxed copies of *Weleetka American*, Vol. 1, No. 1, Weleetka, Indian Territory, Friday, April 4, 1902.
"Early-Day Weleetka Described" by Dick Peebles.
Donor: Myron Northrop, North Little Rock, Arkansas.

The Edwards Store or Old Red Oak by Dr. I. C. Gunning (second of series local history of Eastern Oklahoma Historical Society, Poteau, Oklahoma).
Prehistoric People of Eastern Oklahoma and Their Culture by Dr. I. C. Gunning, (third in series).
A Royal Family of Choctaws or The Choctaw Story by Dr. I. C. Gunning, (both in series).
Donor: Michael and Richie Hull, Midwest City, Oklahoma.

Southwestern Bell Telephone Directory for Okmulgee, 1968, 1969, 1970, 1971 and 1973.
Donor: Mrs. E. C. Alexander, Okmulgee, Oklahoma.

Chief Tishomingo—A History of the Chickasaw Indians, and Some Historical Events of Their Era, 1737–1839, by Cecil L. Sumners, 1974.
Donor: Author, Iuka, Mississippi.

The Springfield (Massachusetts) *Union*, Vol. XXXVI, No. 105, Tuesday Morning, April 18, 1899.

Donor: Hale Bicknell, Edmond, Oklahoma.

Letter to Charles H. Tilton (father of Ms. Marjorie Mitchell) written on birchbark.
Donor: Ms. Mitchell thru Ms. Mildred Toaz, Hartshorne, Oklahoma.

Small album of clippings titled "The Story of Oklahoma City" by Dr. A. C. Scott. Series not complete.
Originally property of late Mrs. J. A. Ross of Oklahoma City, Oklahoma.
Donor: Mrs. C. J. Carlson, Tulsa, Oklahoma.

North and South Carolina Marriage Records—From the Earliest Colonial Days to the Civil War. Compiled and edited by William Montgomery Clemens, 1973.
Donor: Ms. Mabel T. Harris, Oklahoma City, Oklahoma.

Collection of back issues of *The Chronicles of Oklahoma*—104 issues.
Donor: In Memory of Mrs. Howard Miller, Oklahoma City, by Mrs. Elzia Buck Rhodes, Oklahoma City, Oklahoma.

Motorcade of "The World of Tomorrow" April 30, 1938, number 325 of Limited Edition of Five Hundred Issued to Governor E. W. Marland of Oklahoma by New York World's Fair, 1939, Inc.
Collection of *Catalogue of Kentucky State Library*.
Donor: Oklahoma Department of Libraries, Oklahoma City, Oklahoma.

Bethany First Church of the Nazarene, Bethany, Oklahoma 1969.
Donor: Bethany First Church, Bethany, Oklahoma.

Colonial Heritage, Vol. V, No. 3, April, 1974.
Oklahoma Bicentennial Newsletter, April, 1974.
Rebel Yell, April, 1974.
Frontiers of Oklahoma Heritage Institute, 1974.
Headquarters Heliogram, March, 1974.
Periodical, No. 18, Winter, 1973.
Newsletter—Tulsa County Historical Society, Vol. IV, No. 4, April, 1974.
Techniques—For Incorporating Historic Preservation Objectives into the Highway Planning Process, 1974.
General Motors Corporation—1973 Report on Progress in Areas of Public Concern, February 8, 1974.
Ninih Waiya—Choctaw Fair Edition, Vol. I, No. I, Fall, 1973; Vol. I, No. 2, Winter, 1974.
Junior League of Oklahoma City Community Advisory Board, 1973–1974.
Journal of Forest History, Vol. XVIII, Nos. 1, 2, April, 1974 containing "Timber Depredations and Cherokee Legislation 1869–1881" by Daniel F. Littlefield Jr. and Lonnie E. Underhill.
Auto Hobbist—Special Report, No. 11 "Auto Biography."
Membership Roster Oklahoma Chapter American Institute of Architects, 1974.
Oklahoma Heritage, Vol. III, No. 5, May, 1974.
The Civil War Round Table of Oklahoma City, Oklahoma, Vol. XIII, No. 9, May, 1974.
Historic Preservation in Texas—The Comprehensive Statewide Historic Preservation Plan for Texas, Vol. I, 1974.
The Classic Car Club of America Handbook and Directory, 1973.

Proposed Expansion and Extention of the National Historic Preservation Program, May 3, 1974.
Introduction to Early American Masonry—Stone, Brick, Mortar and Plaster by Harley J. McKee, F. A. I. A., July, 1973.
Continuum 1974, editor Joseph A. Gonsdez, The School of Architecture at Oklahoma State University.
"First Exhibit of the Portrait of Speaker Carl Albert," Friday May 10, 1974—Artist, Charles Banks Wilson, Miami, Oklahoma.
The New York Times Encyclopedia Almanac, 1970.
The Bar Register, 1973.
The Saddle and The Statue by Fred Hinkle, 1961.
Catalogue—University of Oklahoma Press Books for Fall and Winter, 1974.
A Review of Monuments, Memorials and Museums Under the Administration of the State Parks Oklahoma Tourism and Recreation Department—G. Gage Skinner, Historical Interpreter, August 1, 1973.
Following eight listings are publications of The Newcomen Society in North America:
Dana—Toward the Year 2000 by Rene C. McPherson.
Wix Corporation by Allen H. Sims and Leon G. Alexander.
America's Bicentennial '76 College—The Story of Hampden-Sydney College in Virginia by Virginia Dabney.
East River Savings Bank—125 Years of Service to The People and the City of New York by Austin S. Murphy.
"From An Idea to Reality"—The Story of National Grange Mutual Insurance Company by Kenneth P. Colby.
The Reynolds and Reynolds Company—"A People Company" by Robert H. Meyer.
Seventy Years of Quality—The F. R. LePage Bakery, Inc., Story by Regis A. LePage.
The Duke Power Story 1904–1973 by Carl Horn, Jr.
N. A. S. A. Official Biography of Oklahoma Astronaut William Reid Pogue, 1974.
Saint Anthony Hospital, Oklahoma City.
Copy of State Questions 494–505 Scheduled for 1974 Election.
Military Collector and Historian—Journal of the Company of Military Historians, Washington, D.C., Vol. XXV, No. 4, Winter, 1973.
The Sixth Annual Stars and Stripes Show Program, Sunday June 30, 1974, Oklahoma City.
Donor: George H. Shirk, Oklahoma City, Oklahoma.

PHOTOGRAPHS:

Big Bolen or old Bolen Coal Mine at McAlester near birthplace of Carl Albert.
Donor: Hon. Carl Albert, Washington, D.C. and Oklahoma.

Turnbow, boxing Champion of Oklahoma University ca 1920.
Pictures of various stages during construction and completion of bridge over South Canadian River between Lexington and Purcell, Oklahoma by the Guy James Construction Company ca 1935–1936.
Donor: Ms. Leora Bishop, Oklahoma City, Oklahoma.

Postal Card Collector Album containing 120 colored postals of Oklahoma City, Hollis, Chickasha, Bliss, Chandler, Tulsa, Guthrie, Claremore and Cardin, Oklahoma.
Eleven snap shots of Mr. and Mrs. Bert Ray and small daughter, Georgia in Oklahoma City and surrounding areas ca 1912–1913.

Pictorial booklet of Oklahoma City ca 1911–1912.
Traders Compress Plant and Cotton Gin, Chickasha, Oklahoma.
Fish Caught in Washita River three miles southeast of Chickasha, Oklahoma.
Herd of Cattle on H. B. Johnson farm near Chickasha, Oklahoma.
75,000 Bushels of Corn of J. S. Mathews, Chickasha, Oklahoma.
Brick Plant, Okmulgee, Oklahoma.
Cotton Gin, Okmulgee, Oklahoma.
Oil Refinery, Okmulgee, Oklahoma.
Two oil refineries and oil fields, Okmulgee, Oklahoma.
Suspension Bridge over Deep Fork, Okmulgee, Oklahoma.
"Residences in Okmulgee."
Early-day street scene during cotton season, Coalgate, Oklahoma.
Tupelo school near Coalgate, Oklahoma.
Farm scene near Coalgate, Oklahoma.
Residence scene, Waurika, Oklahoma.
Donor: Mrs. Georgia Drury, Waukegan, Illinois.

Eighth grade class Bridgeport, 1905–1906.
Early-day picnic in Devil's Canyon.
Donor: Ms. Eula B. Fullerton, Oklahoma City, Oklahoma.

Fifteen photographs of Fort Sill and surrounding areas ca 1890.
Donor: R. B. Gunn, Anaheim, California.

Four photographs from estate of late C. J. Wrightman, Tulsa, Oklahoma.
Donor: Mrs. Paul Bennett, Oklahoma City, Oklahoma.

Creek Indian Ball Players ca 1899–1912.
Weleetka's First Town Council Members.
Donor: Myron Northrop, North Little Rock, Arkansas.

Eleven photographs from area of Old Stonewall, Ada, Chickasaw Court House, Frisco, New Stonewall, Chouteau, Clayton and Oklahoma City.
Donor: Ms. Sybil Rector, Oklahoma City, Oklahoma.

Framed certificate "Chickasaw Squirrel Rifles Brigade Tishomingo, Oklahoma" issued to Cassius M. Cade as Aide-de-Camp, First and Rank of Colonel by William H. Murray, November 10, 1908.
Framed letter to C. M. Cade from C. M. Clay.
Donor: Leo Cade, Anadarko, Oklahoma.

Collection of Photographic Studies of Indians and Oklahoma Personalities 1940–1950 done by Pierre Tartoue, artist/painter/photographer.
Donor: Pierre and C. Eugenia Tartoue, Moscow, Idaho.

Framed photograph of Oklahoma City's Mayor J. Frank Martin and Governor Huey P. Long of Louisiana shortly before the latter's assassination.
Donor: Mrs. Margaret Martin by George H. Shirk.

Cotton Yard, Elk City, Oklahoma, January 1909.
State National Bank Building, Oklahoma City, Oklahoma, March 1910.
Donor: Ms. Marie Mahood, Kiamich Falls, Oregon.

MUSEUMS AND HISTORIC SITES:

Gavel; pen and case; and table, which belonged to donor's father, Oklahoma Legislator D. A. Stovall.
Source: Mrs. Garth W. Caylor, Tulsa, Oklahoma.

Statue of Indian; strand of barbed wire.
Source: Bert Converse, Milburn, Oklahoma.

Items from donor's family including dishes, linens and other household items.
Source: Mrs. Alice B. Brooks, Oklahoma City, Oklahoma.

Spanish-American War Uniform, which belonged to William Meyer; family items.
Source: Mrs. Dick Stone, Oklahoma City, Oklahoma.

Items from the Tolson family.
Source: Jon Stedman, Denton, Texas.

Jeweler's bench and tools which belonged to donor's father, Ray Morgan Adams.
Source: Miss Frankie Lee Adams, Honolulu, Hawaii.

Star design quilt.
Source: Mrs. Walter Miers, Rotan, Texas.

Trousers worn by Samuel Wilson Gammon, Jr. at his wedding in 1866.
Source: Heirs of Walter T. Gammon, by Mrs. W. M. Gammon, Watonga, Oklahoma.

Auto tag, "Bill Murray for President."
Source: R. L. Pointer, Seminole, Oklahoma.

Crocheted tablecloth and bedspread; photograph album.
Source: Mrs. James L. Cole, Fort Worth, Texas.

Camera, late 1940s.
Source: Mrs. Hazel L. Alyea, Oklahoma City, Oklahoma.

Shoes; articles of clothing.
Source: Mary Josephine Fowler, Oklahoma City, Oklahoma.

Badge, "Red Men's Carnival/El Reno, O.T./1905."
Source: Jerome Bushyhead, El Reno, Oklahoma.

Furniture from the Lindsay family.
Source: Mrs. Mame L. Sottong, Tulsa, Oklahoma.

Camera, patent date 1913, used by staff photographer to General J. J. Pershing.
Source: Mr. and Mrs. T. J. Rogers, Oklahoma City, Oklahoma.

Knitted bedspread and bolsters.
Source: Mrs. Velma Mendenhall Merett, Tulsa, Oklahoma.

Glass lampshade; butter dish; arrow.
Source: R. W. Jones, Oklahoma City, Oklahoma.

Motor vehicle license plates, 1972 and 1973.
Source: State of Oklahoma, Tax Commission, by Henry Ayres, Information Director, Oklahoma City, Oklahoma.

Books; linens; clothing; personal items from donors' family.
Source: Mr. and Mrs. Charles R. Musser, Juno Beach, Florida.

Bi-Centennial commemorative plate.
Source: Oklahoma State Federation of Women's Clubs, by Mrs. Vern Firestone, President, Kingfisher, Oklahoma.

Coal bucket.
Source: Mrs. Ira Rogers, Cleo Springs, Oklahoma.

Writing desk; books; linens; household items; personal items.
Source: Mrs. Mary E. Ruse, Fargo, Oklahoma.

Leather cover and bolsters.
Source: Mrs. Georgia Drury, Waukegan, Illinois.

Wooden chair with leather seat, made by donor's father, C. A. Burris in 1869.
Source: Mrs. W. W. Wooley, Stonewall, Oklahoma.

Photograph, TeAta.
Source: Mrs. Gladys M. Channell, Bromide, Oklahoma.

Photograph, Burnel Institute.
Source: Mrs. Eula McGee Glenn, Madill, Oklahoma.

Etagere; chest; secretary desk and chair.
Source: Estate of Bernice F. Price, by David D. Price, Oklahoma City, Oklahoma.

INDIAN ARCHIVES:

Texas Libraries, Fall, 1973.
Donor: Texas Library and Historical Commission, Austin, Texas.

National Archives Microfilm Resources in the Archives Branch, June, 1974.
Donor: Federal Archives and Records Center, Fort Worth, Texas.

Report of quarterly meetings of Inter-Tribal Council of Five Civilized Tribes held April 26, 1974.
Donor: Bureau of Indian Affairs, Muskogee Area Office, Muskogee, Oklahoma.

Wassaja, Vol. II, No. 4 and No. 6. Oklahoma City, Oklahoma.
Donor: Mrs. Martha Blaine.

Indian School Journal, Vol. LXXIII, No. 16, February 22, 1974.
Donor: Chilocco Indian School, Chilocco, Oklahoma.

OIO Newsletter, March, 1974.
Donor: Mrs. Martha Blaine, Oklahoma City, Oklahoma.

Two untitled research notebooks of source material compiled by donors for use on Indian land appraisals before the Indian Claims Commission.
Donors: Mr. and Mrs. Henry J. Garrett, Oklahoma City, Oklahoma.

Document "The Home of the Tax Collector for the Chickasaw Nation, Indian Territory."
Donor: Virgil A. Robbins, transferred from the Oklahoma Historical Society Museums Division.

Document "An Act to Procure a National Seal for the Cherokee Nation" dated December 11, 1869.
Donor: Oklahoma Historical Society, Museums Division.

George Morgan Waters Family History.
Donor: Thomas C. Hudson, Hapeville, Georgia.

"Council House Shows Okmulgee Pride" and "Hard Work, Unusual Donations Created Museum's Creek Indian Pioneer Home," *Okmulgee Daily Times*, April 25, 1974, p. 4.
Donor: Mrs. W. L. Spears, Okmulgee, Oklahoma.

Two copies *Chahta Anompa: An Introduction to the Choctaw Language* by Todd Downing.
Donor: Dr. James Morrison, Durant, Oklahoma.

Xeroxed copies of Choctaw documents and photographs with descriptions by the donor.
Donor: H. O. Boggs, Shawnee, Oklahoma.

San Carlos Apache Tribe of Arizona, et al. v. U.S., Docket Number 22-H: Order.
Little Shell Band of Chippewa Indians and Joseph H. Dussome, et al. v. U.S. Dockets Numbers 191 and 221-B: Opinion; Findings of Fact; Order.
Prairie Band of the Pottawatomie Tribe of Indians, et al. v. U.S., Dockets Numbers 15-C, 18-H, 29-A, 71: Opinion; Order.
Te-Moak Bands of Western Shoshone Indians of Nevada v. U.S., Docket Number 326-A: Opinion; Order.
Lower Sioux Indian Community in Minnesota, et al. v. U.S., Docket Number 363: Final Award.
Confederated Tribes of the Warm Springs Reservation of Oregon v. U.S., Docket Number 198: Findings of Fact; Order.
Seneca-Cayuga Tribe of Oklahoma, et al. v. U.S., Docket Numbers 341-A and B; Opinion; Additional Findings of Fact; Interlocutory Order.
Seneca Nation of Indians, Tonawanda Band of Seneca Indians v. U.S., Docket Numbers 342-B and C and 368: Final Award.
Citizen Band of Potawatomi Indians, et al. v. U.S., Docket Numbers 146, 15-M and 29-K: Final Award.
Red Lake Band and Peter Graves, et al. v. U.S., Docket Number 189: Findings of Fact; Order.
Makah Indian Tribe v. U.S., Docket Number 60-A: Opinion; Order granting "Petitioner's amended motion for leave to amend petition for damages"; Order denying plaintiff's motion for partial summary judgment and defendant's motion to strike; Order denying defendant's motion to dismiss; Order denying plaintiff's motion to permit inspection.
Fort Peck Indians of the Fort Peck Reservation, Montana v. U.S., Docket Number 184: Opinion; Order.
Fort Sill Apache Tribe of the State of Oklahoma, et al. v. U.S., Docket Number 182: Opinion; Findings of Fact; Interlocutory Order; Order.

Jicarilla Apache Tribe v. U.S., Docket Number 22-K: Order.
Sac and Fox Tribe of Indians of Oklahoma, et al. v. U.S., Docket Number 95: Opinion; Interlocutory Order.
Klamath and Modoc Tribe of Indians v. U.S., Docket Numbers 100-B-2: Opinion; Order.
Swinomish Tribe of Indians v. U.S., Docket No. 233: Order.
Blackfeet and Gross Ventre Tribes of Indians and Fort Belknap Indian Community v. U.S., Docket Numbers 279-C and 250-A; Opinion; Order.
Bois Forte Band, et al. v. U.S., Docket Number 18-D: Opinion; Additional Findings of Fact; Interlocutory Order.

Donor: Indian Claims Commission, Washington, D.C.

Dissertation "Federal Refugees from Indian Territory, 1861–1867" by Jerry Leon Gill.

Donor: Author, Stillwater, Oklahoma.

NEW ANNUAL MEMBERS*

April 27, 1974 to July 25, 1974

Alexander, Miss Mary	Oklahoma City
Alexander, Mrs. Mildred	Oklahoma City
Alleman, John M.	Oklahoma City
Allisons, The	Oakland, California
Baehler, Gerald E.	Tulsa
Bolz, Mrs. Robert M.	Madison, Wisconsin
Bowling, J. V.	Vian
Branham, L.	Oklahoma City
Branson, J. W. Sr.	Oklahoma City
Brodell, A. C.	Cleveland
Burch, A. F.	Amarillo, Texas
Carlton, Jane	Oklahoma City
Carney, George O.	Stillwater
Casey, J. G.	Jacksonville, Texas
Cobb, James B.	Oklahoma City
Coffin, Donald R.	Guthrie
Cole, Preston A.	Oklahoma City
Costilow, Miss Laura B.	Broken Bow
Davis, Carl	Washington, D.C.
Doughty, Guy L.	Oklahoma City
Dunlap, Major Royce E.	Truth or Consequences, New Mexico
Epley, Mrs. Kenneth	Shawnee
Felton, Cynthia West	Oklahoma City
Franklin, James D.	Midwest City
Gadient, David E.	Siloam Springs, Arkansas
Gardner, Carol	Moore
Garrett, Frank	Boise City
Gillian, Mrs. James	Chandler
Green, William E.	Tulsa
Hanes, Mrs. Bailey C.	Guthrie
Hardwick, Frederick H.	Oklahoma City
Helwig, Mrs. Roberta Arnett	Woodland, California
Higgins, A. Clint	Sapulpa
Holifield, William Thomas, Jr.	Dallas, Texas
Huggard, Mrs. Arthur	Oklahoma City
Hughes, Craig A,	Fort Devens, Maine
Jackson, Howard L.	Kaw City
Jacobs, Norman A.	Guthrie
Jones, Dorothy	Oklahoma City
Jones, Virgia L.	Fort Smith, Arkansas
Key, Robert C.	Wichita, Kansas
Lengacher, Mr. Judith	Mill City, Oregon
Lilly, Lee R.	Norman
Lipscomb, Bobby, Jr.	Edmond
Looney, Rella M.	Oklahoma City

Lowrey, Mrs. Wiley W.	Oklahoma City
Matlock, Wayman, O.D.	Cleveland
McCreary, Alvin	Tulsa
McCullough, Harrell	Oklahoma City
Merrill, Galen A.	St. Paul, Minnesota
Myers, Mrs. Lynn	Oklahoma City
Newland, Mrs. J. Albert	Tulsa
Parsons, Jack W.	Guthrie
Partridge, Paul W.	Dallas, Texas
Quiring, Eulah Louise	Croker, Missouri
Rainey, Lewis C.	Guthrie
Routh, Mrs. Harry	Lawton
Rolison, Edward W.	Weatherford
Rutherford, Fred	Maplewood, Missouri
Scharf, Thomas L.	San Diego, California
Silverthorn, Mrs. L. E.	Victoria, Texas
Spellman, F. B. H.	Alva
Stogsdill, J. R.	Tahlequah
Stratton, E. L.	Choctaw
Sullivan, Hilary L., Jr.	Dallas, Texas
Summers, Wilma	Bakersfield, California
Swimmer, Ross O.	Tahlequah
Tyson, Carl	Stillwater
Upsher, Sidney P.	Oklahoma City
Welborn, Mrs. Velma M.	Phoenix, Arizona
Wiemers, Lt. Darrell W.	Oklahoma City
Willett, Harold W.	Oklahoma City

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April 27, 1974 to July 25, 1974

Storm, Willis	San Antonio, Texas

* All members in Oklahoma unless otherwise designated.

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Oklahoma Historical Society was organized by a group of Oklahoma Territory spaper men interested in the history of Oklahoma who assembled in Kingfisher, ' 27, 1893.

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